S/INF/55

United Nations

Resolutions and Decisions of the Security Council 1999

Security Council
Official Records
Fifty-fourth Year

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NOTE

The volume *Resolutions and Decisions of the Security Council* is published on a yearly basis. The present volume contains the resolutions adopted and the decisions taken by the Council on substantive questions during 1999, as well as decisions on some of the more important procedural matters. The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council in the year under review, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote, but in cases where a vote has been recorded, it is given immediately after the decisions.

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Membership of the Security Council in 1999

In 1999, the membership of the Security Council was as follows:

Argentina
Bahrain
Brazil
Canada
China
France
Gabon
Gambia
Malaysia
Namibia
Netherlands
Russian Federation
Slovenia
United Kingdom of Great Britain and Northern Ireland
United States of America

Resolutions adopted and decisions taken by the Security Council in 1999

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

THE SITUATION IN SIERRA LEONE

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1995.*]

Decisions

At its 3963rd meeting, on 7 January 1999, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled "The situation in Sierra Leone".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[1]

"The Security Council expresses its grave concern at the attacks by armed rebels of the former junta and the Revolutionary United Front in the capital of Sierra Leone and at the resulting suffering and loss of life. It condemns the unacceptable attempt by the rebels to overthrow by violence the democratically elected Government of Sierra Leone. The Council also condemns the continued campaign by the rebels to terrorize the population of Sierra Leone and, especially, the atrocities committed against women and children. The Council demands that the rebels lay down their arms immediately and cease all violence. The Council reiterates once more its firm support for the legitimate and democratically elected Government of President Ahmad Tejan Kabbah.

"The Council strongly condemns all those who have afforded support, including through the supply of arms and mercenaries, to the rebels in Sierra Leone. In this context, it expresses its grave concern at reports that such support to the rebels is being afforded in particular from the territory of Liberia. It reaffirms the obligation of all Member States to comply strictly with existing arms embargoes. In that context, the Council urges the Committee established pursuant to resolution 985 (1995) and the Committee established pursuant to resolution 1132 (1997) to pursue active measures to investigate violations of the embargoes and to report to the Council, with recommendations as appropriate.

"The Council stresses the importance of dialogue and national reconciliation for the restoration of lasting peace and stability to Sierra Leone. The Council welcomes the efforts to resolve the conflict being undertaken by the Government of President Kabbah, and further endorses the approach set out in the final communiqué of the meeting of the Committee of Six on Sierra Leone of the Economic Community of West African States, held in Abidjan on 28 December 1998.[2] It welcomes the offers made by leaders in the region aimed at resolving the conflict and, in that context, urges them, including the Committee of Six, to facilitate the peace process. It also calls upon the Secretary-General to do all he can to assist in these efforts, including through his Special Representative.

"The Council also expresses its concern at the serious humanitarian consequences of the escalating fighting in Sierra Leone. It calls upon all States and international organizations to provide appropriate humanitarian assistance and upon all parties in Sierra Leone to afford humanitarian access. The Council notes that United Nations agencies are working with the

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[1] S/PRST/1999/1.

[2] S/1998/1232, annex.

increasing numbers of refugees in neighbouring countries and calls upon all States to ensure that the humanitarian agencies are adequately resourced to meet the additional demand.

"The Council commends the forces of the Monitoring Group of the Economic Community of West African States in Sierra Leone for the courage and determination they have demonstrated over the last year in their efforts to maintain security in Sierra Leone. It also commends the key contribution of the United Nations Observer Mission in Sierra Leone and the Special Representative of the Secretary-General in efforts to restore stability in the country. The Council urges all States urgently to provide resources, including logistical and other support, to help to maintain an effective peacekeeping presence in Sierra Leone.

"The Council expresses its intention to continue to monitor the situation closely and to consider urgently any further action which may be necessary."

At its 3964th meeting, on 12 January 1999, the Council decided to invite the representatives of Sierra Leone and Togo to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Third progress report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1998/1176)

"Special report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1999/20)".

Resolution 1220 (1999)
of 12 January 1999

The Security Council,

Recalling its resolution 1181 (1998) of 13 July 1998, and the statement by its President of 7 January 1999.[1]

Expressing its deep concern over the recent deterioration of the situation in Sierra Leone, and encouraging all efforts aimed at resolving the conflict and restoring lasting peace and stability,

Having considered the third progress report of the Secretary-General of 16 December 1998 on the United Nations Observer Mission in Sierra Leone[3] and his special report on the Mission of 7 January 1999,[4] and noting the recommendations contained therein,

1. *Decides* to extend the mandate of the United Nations Observer Mission in Sierra Leone until 13 March 1999;

2. *Takes note* of the intention of the Secretary-General, as expressed in paragraph 37 of his special report, to reduce the number of military observers in the Mission and to retain in Conakry a small number who would return to Sierra Leone when conditions permit, together with the necessary civilian substantive and logistical support staff under the leadership of his Special Representative;

3. *Requests* the Secretary-General to keep the Council closely informed on the situation in Sierra Leone and to submit a further report to the Council with recommendations on the future deployment of the Mission and on the implementation of its mandate by 5 March 1999;

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3964th meeting.

[3] S/1998/1176.

[4] S/1999/20.

Decision

At its 3986th meeting, on 11 March 1999, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Fifth report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1999/237)".

Resolution 1231 (1999)
of 11 March 1999

The Security Council,

Recalling its resolutions 1181 (1998) of 13 July 1998 and 1220 (1999) of 12 January 1999 and the statement by its President of 7 January 1999,[1]

Expressing its continued concern over the fragile situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Having considered the fifth report of the Secretary-General of 4 March 1999 on the United Nations Observer Mission in Sierra Leone,[5] and noting the recommendations contained therein,

1. *Decides* to extend the mandate of the United Nations Observer Mission in Sierra Leone until 13 June 1999;

2. *Welcomes* the intention of the Secretary-General to re-establish the Mission in Freetown as soon as possible and, to that end, to increase the current number of military observers and human rights personnel as referred to in paragraphs 46 and 54 of his report[5] and to redeploy the necessary staff to support the relocation to Freetown, subject to strict attention to the security situation there;

3. *Condemns* the atrocities perpetrated by the rebels on the civilian population of Sierra Leone, including, in particular, those committed against women and children, deplores all violations of human rights and international humanitarian law which have occurred in Sierra Leone during the recent escalation of violence as referred to in paragraphs 21 to 28 of the report of the Secretary-General, including the recruitment of children as soldiers, and urges the appropriate authorities to investigate all allegations of such violations with a view to bringing the perpetrators to justice;

4. *Calls upon* all parties to the conflict in Sierra Leone fully to respect human rights and international humanitarian law and the neutrality and impartiality of humanitarian workers, and to ensure full and unhindered access for humanitarian assistance to affected populations;

5. *Expresses its grave concern* at continued reports that support is being afforded to the rebels in Sierra Leone, including through the supply of arms and mercenaries, in particular from the territory of Liberia;

6. *Acknowledges* the letter dated 23 February 1999 from the President of Liberia to the Secretary-General[6] and the statement by the Government of Liberia of 19 February 1999[7] on the action it is taking to curtail the involvement of Liberian nationals in the fighting in Sierra Leone, including measures to encourage the return of Liberian fighters and directives to the Liberian national security agencies to ensure that no cross-border movement of arms takes place and that there is no transshipment of arms and ammunition through Liberian territory, and requests the

[5] S/1999/237.

[6] S/1999/213.

[7] S/1999/193.

Secretary-General to continue to consider, in coordination with the countries of the Mano River Union and other States members of the Economic Community of West African States, the practicability and effectiveness of the deployment of United Nations monitors along with forces of the Monitoring Group of the Economic Community of West African States at the Liberia/Sierra Leone border;

7. *Reaffirms* the obligation of all States to comply strictly with the provisions of the embargo on the sale or supply of arms and related materiel imposed by its resolution 1171 (1998) of 5 June 1998;

8. *Expresses its intention* to keep the issue of external support to the rebels in Sierra Leone under close review and to consider further steps to address this in the light of developments on the ground;

9. *Expresses its support* for all efforts, in particular by States members of the Economic Community of West African States, aimed at peacefully resolving the conflict and restoring lasting peace and stability to Sierra Leone, encourages the Secretary-General, through his Special Representative for Sierra Leone, to facilitate dialogue to these ends, welcomes the statement by the President of Sierra Leone of 7 February 1999 expressing the readiness of his Government to continue its efforts for dialogue with the rebels,[8] and calls upon all parties involved, especially the rebels, to participate seriously in those efforts;

10. *Commends* the efforts of the Monitoring Group towards the restoration of peace, security and stability in Sierra Leone, and calls upon all Member States to provide the Monitoring Group with financial and logistical support and to consider the provision of prompt bilateral assistance to the Government of Sierra Leone in the creation of a new Sierra Leonean army to defend the country;

11. *Requests* the Secretary-General to keep the Council closely informed on the situation in Sierra Leone and, in this regard, to submit an additional report to the Council with recommendations on the future deployment of the Mission and on the implementation of its mandate by 5 June 1999;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3986th meeting.

Decisions

At its 4005th meeting, on 15 May 1999, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled "The situation in Sierra Leone".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[9]

> "The Security Council stresses that an overall political settlement and national reconciliation are essential to achieving the peaceful resolution of the conflict in Sierra Leone. In this context, it welcomes the recent holding of internal talks by a rebel delegation in Lomé, and urges the Government of Sierra Leone and rebel representatives to ensure that there are no further obstacles to a start of direct talks without delay.
>
> "The Council calls upon all concerned to remain committed to the process of negotiation and to demonstrate flexibility in their approach to the process. In this context, the Council underlines its strong support for the mediation efforts of the United Nations within the Lomé process, in particular the work of the Special Representative of the Secretary-General to facilitate dialogue, and for the key role being played by the President of Togo.

[8] S/1999/138, annex.

[9] S/PRST/1999/13.

"The Council commends, once again, the continued efforts of the Government of Sierra Leone and the Monitoring Group of the Economic Community of West African States towards the restoration of peace, security and stability in Sierra Leone, and calls for sustained support for the Monitoring Group from the international community.

"The Council condemns the recent killings, atrocities, destruction of property and other violations of human rights and international humanitarian law perpetrated on civilians by the rebels in recent attacks, in particular at Masiaka and Port Loko. It calls upon the rebels to cease such actions immediately and urges the rebel leadership to release all hostages and abductees without delay.

"The Council urges both parties to commit themselves to a cessation of hostilities for the duration of the Lomé talks, to ensure that this is fully respected on the ground and to work constructively and in good faith for a ceasefire agreement. It calls upon both sides to refrain from any hostile or aggressive act which could undermine the talks process.

"The Council welcomes the intention of the Secretary-General to increase, as security conditions permit, the presence on the ground of the United Nations Observer Mission in Sierra Leone within currently authorized levels, in anticipation of a cessation of hostilities. The Council also welcomes the intention of the Secretary-General to send an assessment team to Sierra Leone to examine how an expanded Mission with a revised mandate and concept of operations might contribute to the implementation of a ceasefire and peace agreement in the event of a successful outcome to the negotiations between the Government of Sierra Leone and the rebels, and expresses its readiness to consider recommendations from the Secretary-General to that end.

"The Council stresses, however, that it will be prepared to consider deploying monitors throughout Sierra Leone only when a credible ceasefire is in place and is being respected by all sides and there is a commitment by all parties to a framework peace agreement.

"The Council underlines the importance, in the context of a lasting solution to the conflict in Sierra Leone, of a plan for the internationally supervised disarmament, demobilization and reintegration of ex-combatants, including child soldiers. It also draws attention to the need for the secure and timely disposal of collected arms, in accordance with any peace agreement reached.

"The Council reaffirms the obligation of all States to comply strictly with the provisions of the embargo on the sale or supply of arms and related materiel imposed by its resolution 1171 (1998) of 5 June 1998.

"The Council reiterates its grave concern at the humanitarian situation in Sierra Leone and urges all parties, in particular the rebel leadership, to guarantee safe and unhindered humanitarian access to all those in need.

"The Council reiterates that a peaceful and lasting solution to the conflict in Sierra Leone remains the responsibility of the Government and people of Sierra Leone, but again emphasizes the strong commitment of the international community to support a sustainable peace settlement.

"The Council will remain seized of the matter."

At its 4012th meeting, on 11 June 1999, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Sixth report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1999/645)".

Resolution 1245 (1999) of 11 June 1999

The Security Council,

Recalling its resolutions 1181 (1998) of 13 July 1998, 1220 (1999) of 12 January 1999 and 1231 (1999) of 11 March 1999 and the statements by its President of 7 January[1] and 15 May 1999,[9]

Acknowledging the cooperation provided by the Economic Community of West African States and its Monitoring Group,

Expressing its continued concern over the fragile situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Having considered the sixth report of the Secretary-General of 4 June 1999 on the United Nations Observer Mission in Sierra Leone,[10] and noting the recommendations contained therein,

1. *Decides* to extend the mandate of the United Nations Observer Mission in Sierra Leone until 13 December 1999;

2. *Stresses* that an overall political settlement and national reconciliation are essential to achieving a peaceful resolution of the conflict in Sierra Leone, and welcomes the holding of talks in Lomé between the Government of Sierra Leone and rebel representatives;

3. *Calls upon* all concerned to remain committed to the process of negotiation and to demonstrate flexibility in their approach to the process, underlines its strong support for all those involved in the mediation efforts of the United Nations within the Lomé process, in particular the Special Representative of the Secretary-General in his work to facilitate dialogue, and for the key role being played by the President of Togo as current Chairman of the Economic Community of West African States, and emphasizes the strong commitment of the international community to support a sustainable peace settlement;

4. *Takes note* of the intention of the Secretary-General, as expressed in paragraphs 52 to 57 of his report, to revert to the Council with recommendations on an expanded Mission presence in Sierra Leone with a revised mandate and concept of operations in the event of a successful outcome to the negotiations between the Government of Sierra Leone and rebel representatives in Lomé, and underlines the fact that further eventual deployment of the Mission should be considered, taking into account security conditions;

5. *Requests* the Secretary-General to keep the Council closely informed on the situation in Sierra Leone;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4012th meeting.

Decision

At its 4035th meeting, on 20 August 1999, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Seventh report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1999/836 and Add.1)".

[10] S/1999/645.

Resolution 1260 (1999)
of 20 August 1999

The Security Council,

Recalling its resolutions 1171 (1998) of 5 June 1998, 1181 (1998) of 13 July 1998, 1231 (1999) of 11 March 1999 and other relevant resolutions as well as the statement by its President of 15 May 1999,[9]

Recalling also that in accordance with its resolution 1245 (1999) of 11 June 1999 the mandate of the United Nations Observer Mission in Sierra Leone extends until 13 December 1999,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Having considered the report of the Secretary-General of 30 July 1999,[11]

1. *Welcomes* the signing of the Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone in Lomé on 7 July 1999,[12] and commends the President of Togo, the Special Representative of the Secretary-General, the Economic Community of West African States and all those involved in facilitating the negotiations in Lomé on their contribution to this achievement;

2. *Commends* the Government of Sierra Leone for its courageous efforts to achieve peace, including through legislative and other measures already taken towards implementation of the Peace Agreement, commends also the leadership of the Revolutionary United Front for taking this decisive step towards peace, and calls upon them both to ensure that the provisions of the Agreement are fully implemented;

3. *Commends also* the Monitoring Group of the Economic Community of West African States on the outstanding contribution it has made to the restoration of security and stability in Sierra Leone, the protection of civilians and the promotion of a peaceful settlement of the conflict, and urges all States to continue to provide technical, logistical and financial support to the Monitoring Group to help it to maintain its critical presence and continue to perform its role in Sierra Leone, including through the United Nations trust fund established to support peacekeeping and related activities in Sierra Leone;

4. *Authorizes* the provisional expansion of the United Nations Observer Mission in Sierra Leone to up to 210 military observers along with the necessary equipment and administrative and medical support to perform the tasks set out in paragraph 38 of the report of the Secretary-General,[13] and decides that these additional military observers shall be deployed as security conditions permit and shall operate for the time being under security provided by the Monitoring Group as indicated in paragraph 39 of the report;

5. *Underscores* the importance of the safety, security and freedom of movement of United Nations and associated personnel, notes that the Government of Sierra Leone and the Revolutionary United Front have agreed in the Peace Agreement to provide guarantees in this regard, and urges all parties in Sierra Leone to respect fully the status of United Nations and associated personnel;

6. *Authorizes* the strengthening of the political, civil affairs, information, human rights and child protection elements of the Mission as set out in paragraphs 40 to 51 of the report of the Secretary-General, including through the appointment of a deputy Special Representative of the Secretary-General and the expansion of the Office of the Special Representative of the Secretary-General;

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[11] S/1999/836 and Add.1.

[12] S/1999/777, annex.

[13] S/1999/836.

7. *Encourages* the ongoing consultations among the parties concerned on future peacekeeping arrangements in Sierra Leone, including the respective tasks, strength and mandates of the Monitoring Group and the United Nations, and welcomes the intention of the Secretary-General to revert to the Council with comprehensive proposals concerning a new mandate and concept of operations for the Mission;

8. *Calls upon* the Revolutionary United Front and all other armed groups in Sierra Leone to begin immediately to disband and give up their arms, in accordance with the provisions of the Peace Agreement, and to participate fully in the disarmament, demobilization and reintegration programme in Sierra Leone;

9. *Urges* all States and international organizations to provide resources to help to ensure the successful conduct of the disarmament, demobilization and reintegration programme, in particular through the trust fund established by the International Bank for Reconstruction and Development for this purpose;

10. *Stresses* the urgent need to promote peace and national reconciliation and to foster accountability and respect for human rights in Sierra Leone, and in this context takes note of the views expressed in paragraph 54 of the report of the Secretary-General, welcomes the provisions in the Peace Agreement on the establishment of the Truth and Reconciliation Commission and the Human Rights Commission in Sierra Leone, and calls upon the Government of Sierra Leone and the Revolutionary United Front to ensure that these Commissions are established promptly within the time-frame provided for in the Peace Agreement;

11. *Welcomes* the adoption of the Human Rights Manifesto by the parties concerned in Sierra Leone, and stresses the need for international assistance to address the human rights issues in Sierra Leone as a step towards accountability in the country, as referred to in paragraph 20 of the report of the Secretary-General;

12. *Stresses* the need for the international community and the Government of Sierra Leone to design and implement programmes to address the special needs of war victims, in particular those who have suffered maiming mutilation, and, in this regard, welcomes the commitment of the Government of Sierra Leone as set out in article XXIX of the Peace Agreement to establish a special fund for this purpose;

13. *Stresses* the urgent and substantial need for humanitarian assistance to the people of Sierra Leone, in particular in the large proportion of the country hitherto inaccessible to relief agencies, and urges all States and international organizations to provide such assistance as a priority, in response to the revised consolidated inter-agency appeal issued in July 1999;

14. *Calls upon* all parties to ensure the safe and unhindered access of humanitarian assistance to those in need in Sierra Leone, to guarantee the safety and security of humanitarian personnel and to respect strictly the relevant provisions of international humanitarian law;

15. *Stresses* the need for sustained and generous assistance for the longer term tasks of reconstruction, economic and social recovery and development in Sierra Leone, and urges all States and international organizations to participate in and contribute actively to these efforts;

16. *Welcomes* the commitment of the Government of Sierra Leone to work with the United Nations Children's Fund and the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and other international agencies to give particular attention to the long-term rehabilitation of child combatants in Sierra Leone, and encourages those involved also to address the special needs of all children affected by the conflict in Sierra Leone, including through the disarmament, demobilization and reintegration programme and the Truth and Reconciliation Commission and through support to child victims of mutilation, sexual exploitation and abduction, to the rehabilitation of health and education services, and to the recovery of traumatized children and the protection of unaccompanied children;

17. *Welcomes* the decision of the Secretary-General, as indicated in paragraph 44 of his report, that the United Nations should develop a strategic framework approach for Sierra Leone in consultation with national and international partners;

18. *Requests* the Secretary-General to keep the Council closely informed on the situation in Sierra Leone and to submit an additional report to the Council as soon as possible, including recommendations for the mandate and structure of the enhanced United Nations peacekeeping presence that may be required in the country;

19. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4035th meeting.

Decisions

On 27 August 1999, the President of the Security Council addressed the following letter to the Secretary-General:[14]

> "I have the honour to inform you that your letter dated 24 August 1999 concerning your proposal to add Croatia, the Czech Republic, Denmark, France, Indonesia, Nepal, Norway, Sweden, Thailand, the United Republic of Tanzania and Uruguay to the list of Member States contributing military personnel to the United Nations Observer Mission in Sierra Leone[15] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 4054th meeting, on 22 October 1999, the Council decided to invite the representatives of Nigeria and Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Eighth report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1999/1003)".

At the same meeting, the Council decided to extend an invitation, under rule 39 of the provisional rules of procedure of the Council, to the Special Representative of the Secretary-General for Children and Armed Conflict.

Resolution 1270 (1999)
of 22 October 1999

The Security Council,

Recalling its resolutions 1171 (1998) of 5 June 1998, 1181 (1998) of 13 July 1998, 1231 (1999) of 11 March 1999 and 1260 (1999) of 20 August 1999 and other relevant resolutions, and the statement by its President of 15 May 1999,[9]

Recalling also the report of the Secretary-General of 8 September 1999[16] and its resolution 1265 (1999) of 17 September 1999 on the protection of civilians in armed conflict,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Having considered the report of the Secretary-General of 23 September 1999,[17]

Determining that the situation in Sierra Leone continues to constitute a threat to international peace and security in the region,

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[14] S/1999/919.

[15] S/1999/918.

[16] S/1999/957.

[17] S/1999/1003.

1. *Welcomes* the important steps taken by the Government of Sierra Leone, the leadership of the Revolutionary United Front of Sierra Leone, the Monitoring Group of the Economic Community of West African States and the United Nations Observer Mission in Sierra Leone towards implementation of the Peace Agreement[12] since its signing in Lomé on 7 July 1999, and recognizes the important role of the Joint Implementation Committee established by the Peace Agreement under the chairmanship of the President of Togo;

2. *Calls upon* the parties to fulfil all their commitments under the Peace Agreement to facilitate the restoration of peace, stability, national reconciliation and development in Sierra Leone;

3. *Takes note* of the preparations made for the disarmament, demobilization and reintegration of ex-combatants, including child soldiers, by the Government of Sierra Leone through the National Committee for Disarmament, Demobilization and Reintegration, and urges all concerned to make every effort to ensure that all designated centres begin to function as soon as possible;

4. *Calls upon* the Revolutionary United Front, the Civil Defence Force, former Sierra Leone Armed Forces/Armed Forces Revolutionary Council and all other armed groups in Sierra Leone to begin immediately to disband and give up their arms in accordance with the provisions of the Peace Agreement, and to participate fully in the disarmament, demobilization and reintegration programme;

5. *Welcomes* the return to Freetown of the leaders of the Revolutionary United Front and the Armed Forces Revolutionary Council, and calls upon them to engage fully and responsibly in the implementation of the Peace Agreement and to direct the participation of all rebel groups in the disarmament and demobilization process without delay;

6. *Deplores* the recent taking of hostages, including personnel of the Observer Mission and the Monitoring Group, by rebel groups, and calls upon those responsible to put an end to such practices immediately and to address their concerns about the terms of the Peace Agreement peacefully, through dialogue with the parties concerned;

7. *Reiterates its appreciation* for the indispensable role Monitoring Group forces continue to play in the maintenance of security and stability in Sierra Leone and the protection of the people of Sierra Leone, and approves the new mandate for the Monitoring Group, adopted by the Economic Community of West African States on 25 August 1999;[18]

8. *Decides* to establish the United Nations Mission in Sierra Leone with immediate effect for an initial period of six months and with the following mandate:

(*a*) To cooperate with the Government of Sierra Leone and the other parties to the Peace Agreement in the implementation of the Agreement;

(*b*) To assist the Government of Sierra Leone in the implementation of the disarmament, demobilization and reintegration plan;

(*c*) To that end, to establish a presence at key locations throughout the territory of Sierra Leone, including at disarmament/reception centres and demobilization centres;

(*d*) To ensure the security and freedom of movement of United Nations personnel;

(*e*) To monitor adherence to the ceasefire in accordance with the ceasefire agreement of 18 May 1999[19] through the structures provided for therein;

(*f*) To encourage the parties to create confidence-building mechanisms and support their functioning;

[18] S/1999/1073, annex.

[19] S/1999/585, annex.

(*g*) To facilitate the delivery of humanitarian assistance;

(*h*) To support the operations of United Nations civilian officials, including the Special Representative of the Secretary-General and his staff, human rights officers and civil affairs officers;

(*i*) To provide support, as requested, to the elections, which are to be held in accordance with the present constitution of Sierra Leone;

9. *Also decides* that the military component of the United Nations Mission in Sierra Leone shall comprise a maximum of 6,000 military personnel, including 260 military observers, subject to periodic review in the light of conditions on the ground and the progress made in the peace process, in particular in the disarmament, demobilization and reintegration programme, and takes note of paragraph 43 of the report of the Secretary-General of 23 September 1999;[17]

10. *Further decides* that the United Nations Mission in Sierra Leone shall take over the substantive civilian and military components and functions of the Observer Mission as well as its assets, and to that end decides that the mandate of the Observer Mission shall terminate immediately on the establishment of the United Nations Mission in Sierra Leone;

11. *Commends* the readiness of the Monitoring Group to continue to provide security for the areas where it is currently located, in particular around Freetown and Lungi, to provide protection for the Government of Sierra Leone, to conduct other operations in accordance with its mandate to ensure the implementation of the Peace Agreement, and to initiate and proceed with disarmament and demobilization in conjunction and full coordination with the United Nations Mission in Sierra Leone;

12. *Stresses* the need for close cooperation and coordination between the Monitoring Group and the United Nations Mission in Sierra Leone in the performance of their respective tasks, and welcomes the intended establishment of joint operations centres at headquarters and, if necessary, also at subordinate levels in the field;

13. *Reiterates* the importance of the safety, security and freedom of movement of United Nations and associated personnel, notes that the Government of Sierra Leone and the Revolutionary United Front have agreed in the Peace Agreement to provide guarantees in this regard, and calls upon all parties in Sierra Leone to respect fully the status of United Nations and associated personnel;

14. *Decides*, acting under Chapter VII of the Charter of the United Nations, that in the discharge of its mandate the United Nations Mission in Sierra Leone may take the necessary action to ensure the security and freedom of movement of its personnel and, within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical violence, taking into account the responsibilities of the Government of Sierra Leone and the Monitoring Group;

15. *Underlines* the importance of including in the United Nations Mission in Sierra Leone personnel with appropriate training in international humanitarian, human rights and refugee law, including child and gender-related provisions, negotiation and communication skills, cultural awareness and civilian-military coordination;

16. *Requests* the Government of Sierra Leone to conclude a status-of-forces agreement with the Secretary-General within thirty days of the adoption of the present resolution, and recalls that, pending the conclusion of such an agreement, the model status-of-forces agreement dated 9 October 1990[20] should apply provisionally;

17. *Stresses* the urgent need to promote peace and national reconciliation and to foster accountability and respect for human rights in Sierra Leone, underlines in this context the key role of the Truth and Reconciliation Commission, the Human Rights Commission and the

[20] A/45/594.

Commission for the Consolidation of Peace established under the Peace Agreement, and urges the Government of Sierra Leone to ensure the prompt establishment and effective functioning of these bodies with the full participation of all parties and drawing on the relevant experience and support of Member States, specialized bodies, other multilateral organizations and civil society;

18. *Emphasizes* the fact that the plight of children is among the most pressing challenges facing Sierra Leone, welcomes the continued commitment of the Government of Sierra Leone to work with the United Nations Children's Fund, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and other international agencies to give particular attention to the long-term rehabilitation of child combatants in Sierra Leone, and reiterates its encouragement of those involved to address the special needs of all children affected by the conflict;

19. *Urges* all parties concerned to ensure that refugees and internally displaced persons are protected and are enabled to return voluntarily and in safety to their homes, and encourages States and international organizations to provide urgent assistance to that end;

20. *Stresses* the urgent need for substantial additional resources to finance the disarmament, demobilization and reintegration process, and calls upon all States, international and other organizations to contribute generously to the multidonor trust fund established by the International Bank for Reconstruction and Development for that purpose;

21. *Stresses also* the continued need for urgent and substantial humanitarian assistance to the people of Sierra Leone, as well as for sustained and generous assistance for the longer term tasks of peace-building, reconstruction, economic and social recovery and development in Sierra Leone, and urges all States and international and other organizations to provide such assistance as a priority;

22. *Calls upon* all parties to ensure safe and unhindered access of humanitarian assistance to those in need in Sierra Leone, to guarantee the safety and security of humanitarian personnel and to respect strictly the relevant provisions of international humanitarian and human rights law;

23. *Urges* the Government of Sierra Leone to expedite the formation of professional and accountable national police and armed forces, including through their restructuring and training, without which it will not be possible to achieve long-term stability, national reconciliation and the reconstruction of the country, and underlines the importance of support and assistance from the international community in this regard;

24. *Welcomes* the continued work by the United Nations on the development of the strategic framework for Sierra Leone aimed at enhancing effective collaboration and coordination within the United Nations system and between the United Nations and its national and international partners in Sierra Leone;

25. *Notes* the intention of the Secretary-General to keep the situation in Sierra Leone under close review and to revert to the Council with additional proposals if required;

26. *Requests* the Secretary-General to report to the Council every forty-five days to provide updates on the status of the peace process, on security conditions on the ground and on the continued level of deployment of Monitoring Group personnel, so that troop levels and the tasks to be performed can be evaluated as outlined in paragraphs 49 and 50 of the report of the Secretary-General of 23 September 1999;

27. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4054th meeting.

Decisions

On 19 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[21]

> "I have the honour to inform you that your letter dated 16 November 1999 concerning your intention to appoint Mr. Oluyemi Adeniji, of Nigeria, as your Special Representative for Sierra Leone and Head of the United Nations Mission in Sierra Leone[22] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 26 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[23]

> "I have to honour to inform you that your letter dated 22 November 1999 concerning your intention to appoint Major General Vijay Kumar Jetley, of India, as Force Commander of the United Nations Mission in Sierra Leone[24] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4078th meeting, on 10 December 1999, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

> "First report of the Secretary-General on the United Nations Mission in Sierra Leone (UNAMSIL) (S/1999/1223)".

At the same meeting, the Council decided to extend an invitation, under rule 39 of the provisional rules of procedure of the Council, to the Under-Secretary-General for Peacekeeping Operations.

THE SITUATION IN ANGOLA

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.*]

Decision

At its 3965th meeting, on 12 January 1999, the Security Council decided to invite the representatives of Angola and Portugal to participate, without vote, in the discussion of the item entitled "The situation in Angola".

Resolution 1221 (1999) of 12 January 1999

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolutions 1196 (1998) of 16 September 1998 and 1219 (1998) of 31 December 1998,

Recalling the statement by its President of 23 December 1998,[25]

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[21] S/1999/1187.

[22] S/1999/1186.

[23] S/1999/1200.

[24] S/1999/1199.

[25] S/PRST/1998/37.

Expressing its outrage at the downing on 2 January 1999 of a second United Nations-chartered aircraft over territory controlled by the União Nacional para a Independência Total de Angola, which brings to six the number of aircraft lost in this area in recent months,

Expressing its deep concern regarding the fate of the passengers and crews of the above-mentioned aircraft, and its deep regret at the loss of life in these incidents,

Stressing that attacks against personnel who act on behalf of the United Nations are unacceptable and unjustifiable by whomsoever committed,

Deploring the lack of cooperation by the União Nacional para a Independência Total de Angola in clarifying the circumstances of these tragic incidents, which occurred over territory under its control, and in permitting the prompt dispatch of the United Nations search and rescue mission,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* the downing of the two aircraft chartered by the United Nations, deplores the loss under suspicious circumstances of other commercial aircraft, and demands that all such attacks cease immediately;

2. *Reaffirms its resolve* to establish the truth about the circumstances of and to determine the responsibility for the downing of the two aircraft chartered by the United Nations and the loss under suspicious circumstances of other commercial aircraft over territory controlled by the União Nacional para a Independência Total de Angola through an immediate and objective international investigation of these tragic incidents, and reiterates its call upon all concerned, especially the União Nacional para a Independência Total de Angola, to cooperate fully with and to facilitate such an investigation;

3. *Concludes* that the leader of the União Nacional para a Independência Total de Angola, Mr. Jonas Savimbi, has not complied with the demands contained in its resolution 1219 (1998);

4. *Reiterates its demand* that the leader of the União Nacional para a Independência Total de Angola, Mr. Jonas Savimbi, cooperate immediately and in good faith in the search for and rescue of possible survivors of the above-mentioned incidents;

5. *Welcomes* the concrete actions undertaken by the Government of Angola to follow up the commitment made by the President of Angola to the Special Envoy of the Secretary-General on 6 January 1999 regarding the cooperation to be extended to the United Nations search and rescue efforts, and encourages it to continue to extend such cooperation;

6. *Requests* the International Civil Aviation Organization to provide all possible support to the investigation of those incidents as soon as conditions on the ground permit, and urges Member States with investigative capability and expertise to assist the United Nations, upon request, in the investigation of those incidents;

7. *Stresses* the obligation of Member States to comply with the measures imposed against the União Nacional para a Independência Total de Angola contained in resolutions 864 (1993) of 15 September 1993, 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998;

8. *Expresses its readiness* to pursue reports of violations of the measures referred to in paragraph 7 above, to take steps to reinforce the implementation of those measures and to consider the imposition of additional measures, including in the area of telecommunications, on the basis of a report to be prepared by the Security Council Committee established pursuant to resolution 864 (1993), by 15 February 1999, drawing on the expertise of relevant bodies and organizations, including the International Telecommunication Union;

9. *Encourages* the Chairman of the Committee referred to in paragraph 8 above to consult with the Organization of African Unity and the Southern African Development

Community on ways to strengthen the implementation of the measures referred to in paragraph 7 above;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3965th meeting.

Decisions

At its 3969th meeting, on 21 January 1999, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General on the United Nations Observer Mission in Angola (MONUA) (S/1999/49)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[26]

"The Security Council expresses its alarm at the serious deterioration in the political and military situation in Angola. It reaffirms its belief that lasting peace and national reconciliation cannot be achieved through military means, and urges the Government of Angola and especially the União Nacional para a Independência Total de Angola to resume a constructive dialogue on the basis of the 'Acordos de Paz',[27] the Lusaka Protocol[28] and relevant Council resolutions in order to seek a peaceful resolution of the conflict and spare the Angolan people further war and suffering. In this context, it reaffirms that the primary cause of the crisis in Angola is the refusal by the União Nacional para a Independência Total de Angola to comply with the basic provisions of the Lusaka Protocol and reiterates its demand that the União Nacional para a Independência Total de Angola comply with its obligations to demilitarize and to permit the extension of State administration to territories it controls.

"The Council shares the assessment and judgments of the Secretary-General on the political and military situation in Angola contained in his report of 17 January 1999.[29] It underscores the contribution of the United Nations to the past four years of relative peace in Angola. It expresses its deep regret that the present political and security situation in the country and the lack of cooperation with the United Nations Observer Mission in Angola, especially by the União Nacional para a Independência Total de Angola, have prevented the Mission from carrying out its mandated role fully.

"The Council underlines the great importance it attaches to a continued multidisciplinary presence of the United Nations under the direction of a representative of the Secretary-General in Angola. It recognizes that such a continued presence depends on the safety of United Nations personnel and requires the agreement of the Government of Angola and the cooperation of all concerned. In this context, it appeals to the Government of Angola to provide such agreement and to the União Nacional para a Independência Total de Angola to cooperate fully. It welcomes the intention of the Secretary-General to consult urgently with the Government of Angola on such a United Nations presence and to report to the Council in this regard.

"The Council again calls upon Member States to support the peace process in Angola through full and immediate implementation of the measures against the União Nacional para a Independência Total de Angola contained in resolutions 864 (1993) of 15 September 1993,

[26] S/PRST/1999/3.

[27] See S/22609.

[28] See S/1994/1441.

[29] S/1999/49.

1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998, and reiterates its readiness to take steps to reinforce the implementation of those measures on the basis of the recommendations contained in section IV of the report of the Secretary-General of 17 January 1999.

"The Council expresses its profound concern at the humanitarian impact of the conflict on the Angolan people. It urges the international community to support the Government of Angola in fulfilling its primary responsibility for the humanitarian needs of the Angolan people and, in this regard, urges Member States to fund generously the 1999 United Nations Consolidated Inter-Agency Appeal for Angola. It calls upon all concerned to concur and cooperate with United Nations humanitarian assistance activities on the basis of the principles of neutrality and non-discrimination, to guarantee the security and freedom of movement of humanitarian personnel, and to ensure necessary, adequate and safe access and logistics by land and air. It urges all concerned to cooperate with the human rights activities of the United Nations, which help to lay a basis for lasting peace and national reconciliation.

"The Council will remain actively seized of the matter."

At its 3983rd meeting, on 26 February 1999, the Council decided to invite the representatives of Angola and Zambia to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General on the United Nations Observer Mission in Angola (MONUA) (S/1999/202)".

Resolution 1229 (1999)
of 26 February 1999

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolutions 864 (1993) of 15 September 1993, 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998, as well as resolutions 1219 (1998) of 31 December 1998 and 1221 (1999) of 12 January 1999,

Recalling the statements by its President of 23 December 1998[25] and of 21 January 1999,[26]

Reaffirming its commitment to preserve the sovereignty and territorial integrity of Angola,

Reiterating that the primary cause of the present situation in Angola is the failure of the União Nacional para a Independência Total de Angola, under the leadership of Mr. Jonas Savimbi, to comply with its obligations under the "Acordos de Paz",[27] the Lusaka Protocol[28] and relevant Security Council resolutions,

Expressing its concern at the humanitarian effects of the present situation on the civilian population of Angola,

Reiterating that lasting peace and national reconciliation can only be achieved through peaceful means, and in this regard reaffirming the importance of the "Acordos de Paz", the Lusaka Protocol and relevant Security Council resolutions,

Underscoring the contribution of the United Nations to the past four years of relative peace in Angola, and expressing its deep regret that the present political and security situation in the country has prevented the United Nations Observer Mission in Angola from carrying out its mandated role fully,

Taking note of the letter dated 11 February 1999 from the President of the Republic of Angola to the Secretary-General,[30]

Reaffirming its view that a continued presence of the United Nations in Angola can contribute greatly to national reconciliation, and noting the ongoing consultations with the Government of Angola to obtain its agreement regarding the practical arrangements for this presence,

Having considered the report of the Secretary-General of 24 February 1999,[31]

1. *Takes note* that the mandate of the United Nations Observer Mission in Angola expires on 26 February 1999;

2. *Endorses* the recommendations contained in paragraphs 32 and 33 of the report of the Secretary-General of 24 February 1999[31] regarding the technical liquidation of the Mission;

3. *Affirms* that notwithstanding the expiration of the mandate of the Mission, the status-of-forces agreement applicable to the Mission remains in force, pursuant to relevant provisions thereof, until the departure of the final elements of the Mission from Angola;

4. *Decides* that the human rights component of the Mission shall continue its current activities during the liquidation period;

5. *Requests* the Secretary-General to designate a channel to liaise with the Government of Angola pending the conclusion of the consultations with the Government of Angola regarding the follow-up configuration of the United Nations presence in Angola;

6. *Calls upon* all concerned to cooperate with the United Nations humanitarian assistance activities throughout the national territory of Angola on the basis of the principles of neutrality and non-discrimination and to guarantee the security and freedom of movement of humanitarian personnel;

7. *Expresses its deep concern* at the lack of progress in investigating the downing of the two aircraft chartered by the United Nations and the loss under suspicious circumstances of other commercial aircraft over areas controlled by the União Nacional para a Independência Total de Angola, and reiterates its call upon all concerned, especially the União Nacional para a Independência Total de Angola, to cooperate fully with and to facilitate an immediate and objective international investigation of those incidents;

8. *Endorses* the recommendations contained in the report of 12 February 1999 of the Security Council Committee established pursuant to resolution 864 (1993),[32] reiterates its readiness to take steps to reinforce the measures against the União Nacional para a Independência Total de Angola contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998), and calls upon all Member States to implement those measures fully;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3983rd meeting.

Decision

At its 3999th meeting, on 7 May 1999, the Security Council decided to invite the representatives of Angola and Portugal to participate, without vote, in the discussion of the item entitled:

[30] S/1999/166.

[31] S/1999/202.

[32] S/1999/147, annex.

"The situation in Angola

"Report of the Secretary-General on the United Nations Observer Mission in Angola (MONUA) (S/1999/49)".

Resolution 1237 (1999)
of 7 May 1999

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolutions 864 (1993) of 15 September 1993, 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998, as well as resolution 1229 (1999) of 26 February 1999,

Reaffirming its commitment to preserve the sovereignty and territorial integrity of Angola,

Reiterating that the primary cause of the present crisis in Angola is the refusal of the União Nacional Para a Independência Total de Angola, under the leadership of Mr. Jonas Savimbi, to comply with its obligations under the "Acordos de Paz",[27] the Lusaka Protocol[28] and relevant Security Council resolutions,

Expressing its alarm at the humanitarian effects of the present crisis on the civilian population of Angola,

Emphasizing its strong concern at reports of the provision of military assistance, including mercenaries, to the União Nacional para a Independência Total de Angola,

Having considered the recommendations contained in section IV of the report of the Secretary-General of 17 January 1999[29] concerning improvement of the implementation of the measures imposed against the União Nacional para a Independência Total de Angola, and having endorsed the recommendations contained in the report of 12 February 1999 of the Security Council Committee established pursuant to resolution 864 (1993),[32]

Welcoming the recommendations contained in the annex to the letter dated 4 May 1999 from the Chairman of the Committee established pursuant to resolution 864 (1993),[33]

A

1. *Stresses* that lasting peace and national reconciliation in Angola can only be achieved through a political settlement of the conflict, and in this regard reaffirms the importance of the "Acordos de Paz"[27] and the Lusaka Protocol;[28]

2. *Welcomes and endorses* the planned visits by the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) to Angola and other concerned countries to discuss ways to improve the implementation of the measures against the União Nacional para a Independência Total de Angola specified in paragraph 5 below;

B

Determining that, as a result of the refusal of the União Nacional para a Independência Total de Angola to comply with its obligations under the "Acordos de Paz", the Lusaka Protocol and relevant Security Council resolutions, the current situation in Angola continues to constitute a threat to international peace and security in the region,

Emphasizing its concern at reports of violations of the measures with respect to arms and related materiel, petroleum, diamonds and financial assets, imposed against the União Nacional para a Independência Total de Angola by resolutions 864 (1993), 1127 (1997) and 1173 (1998), and in this context acting under Chapter VII of the Charter of the United Nations,

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[33] S/1999/509

3. *Deplores* the deteriorating situation in Angola, which is primarily due to the refusal of the União Nacional para a Independência Total de Angola, under the leadership of Mr. Jonas Savimbi, to comply with its obligations under the "Acordos de Paz", the Lusaka Protocol and relevant Security Council resolutions;

4. *Condemns* the continued, indiscriminate attacks by the União Nacional para a Independência Total de Angola against the civilian population of Angola, particularly in the cities of Huambo, Kuito and Malange;

5. *Stresses* the obligation of all Member States to comply fully with the measures imposed against the União Nacional para a Independência Total de Angola by resolutions 864 (1993), 1127 (1997) and 1173 (1998);

6. *Endorses* the letter dated 4 May 1999, and the annex thereto, from the Chairman of the Committee established pursuant to resolution 864 (1993),[33] and decides to establish the expert panels referred to therein for a period of six months with the following mandate:

(*a*) To collect information and investigate reports, including through visits to the countries concerned, relating to the violation of the measures imposed against the União Nacional para a Independência Total de Angola with respect to arms and related materiel, petroleum and petroleum products, diamonds and the movement of funds of the União Nacional para a Independência Total de Angola as specified in the relevant resolutions, as well as information on military assistance, including mercenaries;

(*b*) To identify parties aiding and abetting the violations of the above-mentioned measures;

(*c*) To recommend measures to end such violations and to improve the implementation of the above-mentioned measures;

7. *Requests* the Chairman of the Committee established pursuant to resolution 864 (1993) to submit to the Council no later than 31 July 1999 an interim report of the expert panels regarding their progress and preliminary findings and recommendations and to submit to the Council within six months of the formation of the expert panels their final report with recommendations;

8. *Calls upon* all States, relevant United Nations bodies and concerned parties, as appropriate, including non-governmental organizations and enterprises, to cooperate in a full and timely manner with the expert panels to facilitate the implementation of their mandate, including by making available to the expert panels information relating to their mandate;

9. *Calls upon* the Governments of the States concerned in which the expert panels will carry out their mandate to cooperate fully with the expert panels in the fulfilment of their mandate, including responding positively to requests from the expert panels for security, assistance, and access in pursuing investigations, including:

(*a*) Adoption by them of any measures needed for the expert panels and their personnel to carry out their functions throughout the respective territories with full freedom, independence, and security;

(*b*) Provision by them to the expert panels or to the Chairman of the Committee established pursuant to resolution 864 (1993) of information in their possession which the expert panels request or which is otherwise needed to fulfil their mandate;

(*c*) Freedom of access for the expert panels and their personnel to any establishment or place they deem necessary for their work, including border points and airfields;

(*d*) Appropriate measures to guarantee the safety and security of the personnel of the expert panels and guarantees by them of full respect for the integrity, security and freedom of witnesses, experts and any other persons working with the expert panels in the fulfilment of their mandate;

(*e*) Freedom of movement for the personnel of the expert panels, including freedom to interview any person in private, at any time, as appropriate;

(*f*) The grant of relevant privileges and immunities in accordance with the General Convention on the Privileges and Immunities of the United Nations;[34]

10. *Expresses its concern* at the delays in the investigation into the downing on 26 December 1998 and 2 January 1999 of two aircraft chartered by the United Nations and the loss under suspicious circumstances of other commercial aircraft over areas in Angola controlled by the União Nacional para a Independência Total de Angola as well as the crash on 26 June 1998 in Côte d'Ivoire of the aircraft carrying the Special Representative of the Secretary-General to Angola and other United Nations personnel, and reiterates its call upon all concerned to cooperate fully with and to facilitate an immediate and objective international investigation of these incidents;

C

11. *Endorses* the recommendation contained in the annex to the letter dated 4 May 1999 from the Chairman of the Committee established pursuant to resolution 864 (1993)[33] that the expert panels should be supported as an expense of the Organization and through a United Nations trust fund established for this purpose, requests the Secretary-General to take the necessary steps towards this end, and urges States to make voluntary contributions to the trust fund;

12. *Reiterates its call* upon all concerned to cooperate with the United Nations humanitarian assistance activities on the basis of the principles of neutrality and non-discrimination, to facilitate the delivery of humanitarian assistance to all those in need throughout the territory of Angola and to guarantee unconditionally the security and freedom of movement of humanitarian personnel;

13. *Expresses its strong support* for further consultations between the Secretary-General and the Government of Angola regarding the follow-up configuration of the United Nations presence in Angola;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3999th meeting.

Decisions

At its 4007th meeting, on 19 May 1999, the Security Council considered the item entitled "The situation in Angola".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[35]

> "The Security Council strongly condemns the criminal act by the União Nacional Para a Independência Total de Angola against commercial aircraft, namely the shooting down of an Antonov-26 aircraft on 12 May 1999 near Luzamba and the taking of its Russian crew hostage, while the fate of its Angolan passengers remains unknown.
>
> "The Council expresses its grave concern at the fate of those who were on board the downed aircraft, demands the immediate and unconditional release of the Russian crew members and all other foreign nationals that may be held hostage in Angola by the União Nacional para a Independência Total de Angola, and also demands information on the fate of the Angolan passengers. It stresses that the União Nacional para a Independência Total de Angola and its leader, Mr. Jonas Savimbi, carry full responsibility for their security.

[34] General Assembly resolution 22 A (I).

[35] S/PRST/1999/14.

"The Council calls upon the Government of Angola and all other concerned parties to cooperate in obtaining the release of the Russian crew members as well as in ascertaining the fate of passengers and crew members of other commercial aircraft lost under suspicious circumstances over territory controlled by the União Nacional para a Independência Total de Angola.

"The Council will remain actively seized of the matter."

At its 4027th meeting, on 29 July 1999, the Council considered the item entitled:

"The situation in Angola

"Briefing by the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola".

At its 4036th meeting, on 24 August 1999, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[36]

"The Security Council expresses its deep concern at the deteriorating political, military and humanitarian situation in Angola, at the suffering of the people and at the dramatic increase in the number of internally displaced persons, which has now reached well over two million, not including the unknown number of internally displaced persons in areas which are currently inaccessible to humanitarian agencies.

"The Council reiterates that the primary cause of the current crisis in Angola is the failure by the leadership of the União Nacional para a Independência Total de Angola to comply with its obligations under the Lusaka Protocol,[28] and it again demands that the União Nacional para a Independência Total de Angola comply immediately and without conditions with its obligations to demilitarize and permit the extension of state administration to areas under its control. It reaffirms its belief that lasting peace and national reconciliation can only be achieved through political dialogue.

"The Council expresses its concern at the critical condition of the internally displaced persons who suffer from lack of food, medicines, shelter, arable land and other necessities. The Council further expresses its grave concern at the number of malnourished children and at the outbreak of diseases such as polio and meningitis due to the lack of access to clean water and hygiene. In this regard, the Council commends the excellent work by the Government of Angola and the United Nations system in their efforts towards the eradication of diseases in Angola. The Council also expresses its concern at the plight of those vulnerable groups, such as children, women, the elderly and the handicapped, who are particularly at risk and in need of special assistance.

"The Council expresses its concern that the continuing conflict in Angola has increased the cost of humanitarian assistance. It notes the insufficient level of contributions to the 1999 United Nations Consolidated Inter-Agency Appeal for Angola and reiterates its appeal to the donor community to contribute generously, financially and in kind, to the humanitarian appeal to enable the agencies to address effectively the plight of the internally displaced persons. The Council welcomes the announcement by the Government of Angola of an emergency plan for humanitarian assistance.

"The Council also expresses its concern that the continuing conflict and lack of access jeopardize the ability of the agencies to continue to deliver assistance to those in need. The Council urges the Government of Angola and particularly the União Nacional para a Independência Total de Angola to provide access to all internally displaced persons in

[36] S/PRST/1999/26.

Angola and to facilitate the mechanisms necessary for the delivery of humanitarian assistance to all populations in need throughout the country. The Council urges both parties, particularly the União Nacional para a Independência Total de Angola, to guarantee the safety and security and freedom of movement of humanitarian personnel, including United Nations and associated personnel, providing assistance to internally displaced persons. The Council strongly urges respect for the principle of neutrality and impartiality in the delivery of assistance. The Council commends the determination and courage of those working to relieve human suffering in Angola, including the Office for the Coordination of Humanitarian Affairs, the World Food Programme and the United Nations Children's Fund and other agencies.

"The Council urges both parties to ensure full respect for human rights and international humanitarian law. In this connection, the Council urges the União Nacional para a Independência Total de Angola to cease committing atrocities, including killing civilians and attacking humanitarian aid workers, and demands the release of all foreign citizens, including the Russian aircrews, held by the União Nacional para a Independência Total de Angola. It expresses its concern at reports of re-mining activities as well as the laying of mines in new areas in the country.

"The Council will remain actively seized of the matter."

At its 4052nd meeting, on 15 October 1999, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Letter dated 11 August 1999 from the Secretary-General addressed to the President of the Security Council (S/1999/871)".

Resolution 1268 (1999)
of 15 October 1999

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolutions 1229 (1999) of 26 February 1999 and 1237 (1999) of 7 May 1999,

Recalling the statements by its President of 21 January[26] and 24 August 1999,[36]

Reaffirming its commitment to preserve the sovereignty and territorial integrity of Angola,

Reiterating that the primary cause of the present situation in Angola is the failure of the União Nacional para a Independência Total de Angola, under the leadership of Mr. Jonas Savimbi, to comply with its obligations under the "Acordos de Paz",[27] the Lusaka Protocol[28] and relevant Security Council resolutions,

Reiterating also that lasting peace and national reconciliation can only be achieved through peaceful means, and in this regard reaffirming the importance of the "Acordos de Paz", the Lusaka Protocol and relevant Security Council resolutions,

Expressing its concern at the humanitarian effects of the present situation on the civilian population in Angola,

Welcoming the letter from the Secretary-General to the President of the Security Council dated 11 August 1999,[37] and the letters referred to therein from the Minister for Foreign Affairs of

[37] S/1999/871.

the Republic of Angola to the Secretary-General dated 26 July 1999[38] and from the Secretary-General to the Minister for Foreign Affairs of the Republic of Angola dated 2 August 1999,[39]

Reaffirming its view that a continued United Nations presence in Angola can contribute greatly to the promotion of peace, national reconciliation, human rights and regional security,

1. *Authorizes* the establishment, for an initial period of six months until 15 April 2000, of the United Nations Office in Angola staffed with the personnel necessary to liaise with the political, military, police and other civilian authorities, with a view to exploring effective measures for restoring peace, assisting the Angolan people in the area of capacity-building, humanitarian assistance and the promotion of human rights, and coordinating other activities;

2. *Decides* that, pending further consultations between the United Nations and the Government of Angola, the United Nations Office in Angola shall consist of up to thirty substantive professional staff, as well as the necessary administrative and other support personnel;

3. *Stresses* that the United Nations Humanitarian Assistance Coordination Unit will continue to operate and to be funded in its present configuration;

4. *Calls upon* all parties concerned and in particular the União Nacional para a Independência Total de Angola to ensure the safety, security and freedom of movement of United Nations and associated personnel and to respect fully their status;

5. *Calls upon* the Government of Angola and the Secretary-General to conclude as soon as possible a status-of-mission agreement;

6. *Expresses its readiness* to review the configuration and mandate of the United Nations presence in Angola upon the recommendation of the Secretary-General in consultation with the Government of Angola;

7. *Requests* the Secretary-General to provide every three months a report on developments in Angola, including his recommendations about additional measures the Council might consider to promote the peace process in Angola;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4052nd meeting.

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

A. The situation in Croatia

[*Resolutions or decisions on this question were also adopted by the Security Council in 1993, 1995, 1996, 1997 and 1998.*]

Decision

At its 3966th meeting, on 15 January 1999, the Security Council decided to invite the representatives of Croatia, Germany and Italy to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka (S/1999/16)".

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[38] Ibid., annex I.

[39] Ibid., annex II.

Resolution 1222 (1999) of 15 January 1999

The Security Council,

Recalling all its earlier relevant resolutions, in particular resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995, 1147 (1998) of 13 January 1998 and 1183 (1998) of 15 July 1998,

Having considered the report of the Secretary-General of 6 January 1999 on the United Nations Mission of Observers in Prevlaka,[40]

Recalling the letter dated 24 December 1998 from the Prime Minister of the Federal Republic of Yugoslavia[41] and the letter dated 7 January 1999 from the Permanent Representative of Croatia to the United Nations,[42] concerning the disputed issue of Prevlaka,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders,

Taking note once again of the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia,[43] in particular articles 1 and 3, the latter reaffirming their agreement concerning the demilitarization of the Prevlaka peninsula,

Noting with concern, however, that long-standing violations of the demilitarization regime by both parties continue, including the standing presence of Yugoslav military personnel and the occasional presence of Croatian military elements in the demilitarized zone, and limitations placed on the free movement of United Nations military observers by both parties,

Welcoming, in this regard, the recent lifting of certain restrictions on access for the Mission by Croatia, as well as the recent steps taken by the Croatian authorities to improve communication and coordination with the Mission to allow it to monitor more effectively the situation in its area of responsibility,

Welcoming also the Croatian willingness to open crossing points between Croatia and the Federal Republic of Yugoslavia (Montenegro) in the demilitarized zone, which has led to considerable civilian traffic in both directions and which represents a significant confidence-building measure in the normalization of relations between the two parties, and expressing the hope that further such openings will help to increase such civilian traffic,

Noting with approval the continuing bilateral negotiations between the parties pursuant to the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996,[44] but expressing serious concern that such negotiations have not yet resulted in any substantive progress towards a settlement of the disputed issue of Prevlaka,

Reiterating its call upon the parties urgently to put in place a comprehensive demining programme,

Noting that the presence of the United Nations military observers continues to be essential to maintain conditions that are conducive to a negotiated settlement of the disputed issue of Prevlaka,

1. *Authorizes* the United Nations military observers to continue monitoring the demilitarization of the Prevlaka peninsula, in accordance with resolutions 779 (1992) and

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[40] S/1999/16.

[41] S/1998/1225, annex I.

[42] S/1999/19 and Corr.1.

[43] S/24476, annex.

[44] S/1996/706, annex.

981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December 1995,[45] until 15 July 1999;

2. *Welcomes* the improvement in cooperation between the Republic of Croatia and the Federal Republic of Yugoslavia and the United Nations military observers and the decrease in the number of serious incidents, and reiterates its call upon the parties to cease all violations of the demilitarization regime in the United Nations designated zones, to take steps further to reduce tension and improve safety and security in the area, to cooperate fully with the United Nations military observers and to ensure their safety and full and unrestricted freedom of movement;

3. *Requests* the Secretary-General, in the light of the improved cooperation and reduction in tensions in Prevlaka as described in his report, to consider possible reductions, without prejudice to the main operational activities of the United Nations Mission of Observers in Prevlaka, focusing on the possibility of reducing the number of military observers to as few as twenty-two, in line with the reconsideration of the concept of operations of the Mission and the existing security regime and the desirability of closing the Mission when appropriate;

4. *Also requests* the Secretary-General to submit a report by 15 April 1999 on the progress of bilateral negotiations between the parties, as well as on possible ways to facilitate a negotiated settlement, should the parties require such assistance, and to this end requests the parties to report at least bimonthly to the Secretary-General on the status of the negotiations;

5. *Urges once again* that the parties abide by their mutual commitments and implement fully the Agreement on Normalization of Relations,[44] and stresses in particular the urgent need for them to fulfil rapidly and in good faith their commitment to reach a negotiated resolution of the disputed issue of Prevlaka in accordance with article 4 of the Agreement;

6. *Requests* the United Nations military observers and the multinational Stabilization Force authorized by the Council in resolution 1088 (1996) of 12 December 1996 and extended by resolution 1174 (1998) of 15 June 1998 to cooperate fully with each other;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 3966th meeting.

Decision

At its 4023rd meeting, on 15 July 1999, the Security Council decided to invite the representatives of Croatia, Germany and Italy to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka (S/1999/764)".

Resolution 1252 (1999)
of 15 July 1999

The Security Council,

Recalling all its earlier relevant resolutions, in particular resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995, 1147 (1998) of 13 January 1998, 1183 (1998) of 15 July 1998 and 1222 (1999) of 15 January 1999,

Having considered the report of the Secretary-General of 8 July 1999 on the United Nations Mission of Observers in Prevlaka,[46]

[45] S/1995/1028.
[46] S/1999/764.

Recalling the letter to the President of the Security Council dated 18 June 1999 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations[47] and the letter dated 25 June 1999 from the Permanent Representative of Croatia to the United Nations,[48] concerning the disputed issue of Prevlaka,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders,

Noting once again the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia,[43] in particular articles 1 and 3, the latter reaffirming their agreement concerning the demilitarization of the Prevlaka peninsula,

Reiterating its concern that long-standing violations of the demilitarization regime by both parties continue, including the standing presence of military personnel of the Federal Republic of Yugoslavia military personnel and the occasional presence of Croatian military elements in the demilitarized zone, and limitations placed on the free movement of United Nations military observers by both parties,

Expressing its concern about more recent, additional violations of the demilitarized zone, in particular the presence there of troops of the Federal Republic of Yugoslavia,

Noting with satisfaction that the opening of crossing points between Croatia and the Federal Republic of Yugoslavia (Montenegro) in the demilitarized zones continues to facilitate civilian and commercial traffic in both directions without security incidents and continue to represent a significant confidence-building measure in the normalization of relations between the two parties, and urging the parties to utilize these openings as a basis for further confidence-building measures to achieve the normalization of relations between them,

Reiterating its serious concerns about the lack of substantive progress towards a settlement of the disputed issue of Prevlaka in the continuing bilateral negotiations between the parties pursuant to the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996,[44] and calling upon the parties to resume discussions,

Reiterating its call upon the parties urgently to put in place a comprehensive demining programme,

Commending the role played by the Mission, and noting also that the presence of the United Nations military observers continues to be essential to maintain conditions that are conducive to a negotiated settlement of the disputed issue of Prevlaka,

1. *Authorizes* the United Nations military observers to continue monitoring the demilitarization of the Prevlaka peninsula, in accordance with resolutions 779 (1992) and 981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December 1995,[45] until 15 January 2000;

2. *Reiterates its call upon* the parties to cease all violations of the demilitarization regime in the United Nations designated zones, to take steps further to reduce tension and to improve safety and security in the area, to cooperate fully with the United Nations military observers and to ensure their safety and full and unrestricted freedom of movement;

3. *Requests* the Secretary-General to report by 15 October 1999 with recommendations and options further to develop confidence-building measures between the parties aimed, inter alia, at further facilitating freedom of movement of the civilian population;

[47] S/1999/697.

[48] S/1999/719.

4. *Urges once again* that the parties abide by their mutual commitments and implement fully the Agreement on Normalization of Relations,[44] and stresses in particular the urgent need for them to fulfil rapidly and in good faith their commitment to reach a negotiated resolution of the disputed issue of Prevlaka in accordance with article 4 of the Agreement;

5. *Requests* the parties to continue to report at least bimonthly to the Secretary-General on the status of their bilateral negotiations;

6. *Requests* the United Nations military observers and the multinational Stabilization Force authorized by the Council in resolution 1088 (1996) of 12 December 1996 and extended by resolution 1247 (1999) of 18 June 1999 to cooperate fully with each other;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 4023rd meeting.

B. Items relating to the situation in Kosovo, Federal Republic of Yugoslavia

Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998.*]

Decisions

At its 3967th meeting, on 19 January 1999, the Security Council decided to invite the representatives of Germany and Italy to participate, without vote, in the discussion of the item entitled:

> "Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/1998/223)
>
> "Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/1998/272)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[49]

> "The Security Council strongly condemns the massacre of Kosovo Albanians in the village of Racak in southern Kosovo, Federal Republic of Yugoslavia, on 15 January 1999, as reported by the Kosovo Verification Mission of the Organization for Security and Cooperation in Europe. It notes with deep concern that the report of the Mission states that the victims were civilians, including women and at least one child. The Council also takes note of the statement by the head of the Mission that the responsibility for the massacre lay with security forces of the Federal Republic of Yugoslavia, and that uniformed members of both the armed forces of the Federal Republic of Yugoslavia and Serbian special police had been involved. The Council emphasizes the need for an urgent and full investigation of the facts and urgently calls upon the Federal Republic of Yugoslavia to work with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of

[49] S/PRST/1999/2.

International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the Mission to ensure that those responsible are brought to justice.

"The Council deplores the decision by Belgrade to declare the head of the Mission, William Walker, persona non grata, and reaffirms its full support for Mr. Walker and the efforts of the Organization for Security and Cooperation in Europe to facilitate a peaceful settlement. It calls upon Belgrade to rescind this decision and to cooperate fully with Mr. Walker and the Mission.

"The Council deplores the decision by the Federal Republic of Yugoslavia to refuse access to the Prosecutor of the International Tribunal for the Former Yugoslavia, and calls upon the Federal Republic of Yugoslavia to cooperate fully with the International Tribunal in carrying out an investigation in Kosovo, in line with the call for cooperation with the Tribunal in Council resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998 and 1203 (1998) of 24 October 1998.

"The Council notes that, against the clear advice of the Mission, Serb forces returned to Racak on 17 January 1999 and that fighting broke out.

"The Council considers that the events in Racak constitute the latest in a series of threats to the efforts to settle this conflict through negotiation and peaceful means.

"The Council condemns the shooting of Mission personnel on 15 January 1999 and all actions endangering Mission and international personnel. It reaffirms its full commitment to the safety and security of the Mission personnel. It reiterates its demands that the Federal Republic of Yugoslavia and the Kosovo Albanians cooperate fully with the Mission.

"The Council calls upon the parties to cease immediately all acts of violence and to engage in talks on a lasting settlement.

"The Council also strongly warns the Kosovo Liberation Army against actions which are contributing to tensions.

"The Council considers all of these events to be violations of its resolutions and of relevant agreements and commitments calling for restraint. It calls upon all parties to respect fully their commitments under the relevant resolutions and affirms once again its full support for international efforts to facilitate a peaceful settlement on the basis of equality for all citizens and ethnic communities in Kosovo. The Council reaffirms its commitment to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.

"The Council takes note with concern of the report of the United Nations High Commissioner for Refugees that five-and-a-half-thousand civilians fled the Racak area following the massacre, showing how rapidly a humanitarian crisis could again develop if steps are not taken by the parties to reduce tensions.

"The Council will remain actively seized of the matter."

At its 3974th meeting, on 29 January 1999, the Council decided to invite the representatives of Germany and Italy to participate, without vote, in the discussion of the item entitled:

"Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/1998/223)

"Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/1998/272)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[50]

"The Security Council expresses its deep concern at the escalating violence in Kosovo, Federal Republic of Yugoslavia. It underlines the risk of a further deterioration in the humanitarian situation if steps are not taken by the parties to reduce tensions. The Council reiterates its concern at attacks on civilians and underlines the need for a full and unhindered investigation of such actions. It calls once again upon the parties to respect fully their obligations under the relevant resolutions and to cease immediately all acts of violence and provocation.

"The Council welcomes and supports the decisions of the Ministers for Foreign Affairs of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group), following their meeting in London on 29 January 1999,[51] which aim at reaching a political settlement between the parties and establishing a framework and timetable for that purpose. The Council demands that the parties accept their responsibilities and comply fully with these decisions and requirements, as with its relevant resolutions.

"The Council reiterates its full support for international efforts, including those of the Contact Group and the Kosovo Verification Mission of the Organization for Security and Cooperation in Europe, to reduce tensions in Kosovo and facilitate a political settlement on the basis of substantial autonomy and equality for all citizens and ethnic communities in Kosovo and the recognition of the legitimate rights of the Kosovo Albanians and other communities in Kosovo. It reaffirms its commitment to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia.

"The Council will follow the negotiations closely and would welcome members of the Contact Group keeping it informed about the progress reached therein.

"The Council will remain actively seized of the matter."

Letter dated 24 March 1999 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council

Decisions

At its 3988th meeting, on 24 March 1999, the Security Council decided to invite the representatives of Albania, Belarus, Bosnia and Herzegovina, Germany and India to participate, without vote, in the discussion of the item entitled "Letter dated 24 March 1999 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/1999/320)".

At the same meeting, the Council decided to extend an invitation to Mr. Vladislav Jovanovic, at his request, to address the Council in the course of the discussion of the item before it.

At its 3989th meeting, on 26 March 1999, the Council decided to invite, in addition to the representatives invited at its 3988th meeting, the representatives of Cuba and Ukraine to participate, without vote, in the discussion of the item entitled "Letter dated 24 March 1999 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/1999/320)".

[50] S/PRST/1999/5.

[51] See S/1999/96, annex.

On 7 May 1999, the President of the Security Council addressed the following letter to the Secretary-General:[52]

"I have the honour to inform you that your letter dated 6 May 1999 concerning your decision to appoint Mr. Carl Bildt, of Sweden, and Mr. Eduard Kukan, of Slovakia, as Special Envoys of the Secretary-General for the Balkans[53] has been brought to the attention of the members of the Security Council, who have taken note of your decision."

Letter dated 7 May 1999 from the Permanent Representative of China to the United Nations addressed to the President of the Security Council

Decisions

At its 4000th meeting, on 8 May 1999, the Security Council decided to invite the representatives of Albania, Belarus, Cuba, India, Iraq and Ukraine to participate, without vote, in the discussion of the item entitled Letter dated 7 May 1999 from the Permanent Representative of China to the United Nations addressed to the President of the Security Council (S/1999/523)".

At the same meeting, the Council decided to extend an invitation to Mr. Vladislav Jovanovic, at his request, to address the Council in the course of the discussion of the item before it.

At its 4001st meeting, on 14 May 1999, the Council considered the item entitled "Letter dated 7 May 1999 from the Permanent Representative of China to the United Nations addressed to the President of the Security Council (S/1999/523)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[54]

"The Security Council recalls the press statement by the President on 8 May 1999, and expresses its deep distress and concern over the bombing of the Embassy of the People's Republic of China in the Federal Republic of Yugoslavia on 7 May 1999, which has caused serious casualties and property damage. The Council expresses its deepest sympathy and profound condolences to the Chinese Government and families of the victims.

"The Council expresses profound regrets over the bombing and deep sorrow for the loss of lives, injuries and property damage caused by the bombing, and notes that regrets and apologies were expressed for this tragedy by members of the North Atlantic Treaty Organization. The Council, bearing in mind the Charter of the United Nations, reaffirms that the principle of the inviolability of diplomatic personnel and premises must be respected in all cases in accordance with internationally accepted norms.

"The Council stresses the need for a complete and thorough investigation of the bombing by the North Atlantic Treaty Organization. In this connection, it takes note of the fact that an investigation has been initiated by the North Atlantic Treaty Organization and it awaits the results of the investigation.

"The Council will remain seized of this matter."

Security Council resolutions 1160 (1998), 1199 (1998) and 1203 (1998)

Decisions

At its 4003rd meeting, on 14 May 1999, the Security Council decided to invite the representatives of Albania, Belarus, Bosnia and Herzegovina, Cuba, Egypt, the Islamic Republic

[52] S/1999/527.

[53] S/1999/526.

[54] S/PRST/1999/12.

of Iran, Jordan, Kuwait, Morocco, Pakistan, Qatar, Saudi Arabia, Senegal, Turkey, Ukraine, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled "Security Council resolutions 1160 (1998), 1199 (1998) and 1203 (1998)".

At the same meeting, the Council decided to extend an invitation to Mr. Vladislav Jovanovic, at his request, to address the Council in the course of the discussion of the item before it.

At the same meeting, the Council also decided, at the request of the representative of Qatar,[55] to extend an invitation to Mr. Ahmad Haji Hosseini, Deputy Permanent Observer of the Organization of the Islamic Conference to the United Nations, under rule 39 of the provisional rules of procedure of the Council.

Resolution 1239 (1999)
of 14 May 1999

The Security Council,

Recalling its resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998 and 1203 (1998) of 24 October 1998, and the statements by its President of 24 August 1998,[56] 19 January 1999[49] and 29 January 1999,[50]

Bearing in mind the provisions of the Charter of the United Nations, and guided by the Universal Declaration of Human Rights,[57] the international covenants and conventions on human rights, the 1951 Convention[58] and the 1967 Protocol[59] relating to the Status of Refugees, the Geneva Conventions of 1949[60] and the Additional Protocols thereto, of 1977,[61] as well as other instruments of international humanitarian law,

Expressing grave concern at the humanitarian catastrophe in and around Kosovo, Federal Republic of Yugoslavia, as a result of the continuing crisis,

Deeply concerned by the enormous influx of Kosovo refugees into Albania, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, and other countries, as well as by the increasing numbers of displaced persons within Kosovo, the Republic of Montenegro and other parts of the Federal Republic of Yugoslavia,

Stressing the importance of effective coordination of humanitarian relief activities undertaken by States, the Office of the United Nations High Commissioner for Refugees and international organizations in alleviating the plight and suffering of refugees and internally displaced persons,

Noting with interest the intention of the Secretary-General to send a humanitarian needs assessment mission to Kosovo and other parts of the Federal Republic of Yugoslavia,

Reaffirming the territorial integrity and sovereignty of all States in the region,

1. *Commends* the efforts that have been taken by Member States, the Office of the United Nations High Commissioner for Refugees and other international humanitarian relief organizations in providing urgently needed relief assistance to the Kosovo refugees in Albania, the former Yugoslav Republic of Macedonia and Bosnia and Herzegovina, and urges them and others in a position to do so to contribute resources for humanitarian assistance to the refugees and internally displaced persons;

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[55] Document S/1999/522, incorporated in the record of the 4003rd meeting.

[56] S/PRST/1998/25.

[57] General Assembly resolution 217 A (III).

[58] United Nations, *Treaty Series*, vol. 189, No. 2545.

[59] Ibid., vol. 606, No. 8791.

[60] Ibid., vol. 75, Nos. 970-973.

[61] Ibid., vol. 1125, Nos. 17512 and 17513.

2. *Invites* the Office of the United Nations High Commissioner for Refugees and other international humanitarian relief organizations to extend relief assistance to the internally displaced persons in Kosovo, the Republic of Montenegro and other parts of the Federal Republic of Yugoslavia, as well as to other civilians being affected by the ongoing crisis;

3. *Calls* for access for United Nations and all other humanitarian personnel operating in Kosovo and other parts of the Federal Republic of Yugoslavia;

4. *Reaffirms* the right of all refugees and displaced persons to return to their homes in safety and in dignity;

5. *Emphasizes* that the humanitarian situation will continue to deteriorate in the absence of a political solution to the crisis consistent with the principles adopted by the Ministers for Foreign Affairs of Canada, France, Germany, Italy, Japan, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America on 6 May 1999,[62] and urges all concerned to work towards this aim;

6. *Decides* to remain actively seized of the matter.

Adopted at the 4003rd meeting
by 13 votes to none, with 2 abstentions
(China and the Russian Federation).

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998) and 1239 (1999)

Decisions

At its 4011th meeting, on 10 June 1999, the Security Council decided to invite the representatives of Albania, Belarus, Bulgaria, Costa Rica, Croatia, Cuba, Germany, Hungary, the Islamic Republic of Iran, Italy, Japan, Mexico, Norway, the former Yugoslav Republic of Macedonia, Turkey and Ukraine to participate, without vote, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998) and 1239 (1999)

"Letter dated 6 May 1999 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council (S/1999/516)

"Letter dated 5 June 1999 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (S/1999/646)

"Letter dated 7 June 1999 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council (S/1999/649)

"Letter dated 10 June 1999 from the Secretary-General addressed to the President of the Security Council (S/1999/663)".

At the same meeting, the Council decided to extend an invitation to Mr. Vladislav Jovanovic, at his request, to address the Council in the course of the discussion of the item before it.

Resolution 1244 (1999)
of 10 June 1999

The Security Council,

Bearing in mind the purposes and principles of the Charter of the United Nations, and the primary responsibility of the Security Council for the maintenance of international peace and security,

Recalling its resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998, 1203 (1998) of 24 October 1998 and 1239 (1999) of 14 May 1999,

[62] See S/1999/516, annex; see also annex I to resolution 1244 (1999).

Regretting that there has not been full compliance with the requirements of those resolutions,

Determined to resolve the grave humanitarian situation in Kosovo, Federal Republic of Yugoslavia, and to provide for the safe and free return of all refugees and displaced persons to their homes,

Condemning all acts of violence against the Kosovo population as well as all terrorist acts by any party,

Recalling the statement made by the Secretary-General on 9 April 1999, expressing concern at the humanitarian tragedy taking place in Kosovo,[63]

Reaffirming the right of all refugees and displaced persons to return to their homes in safety,

Recalling the jurisdiction and the mandate of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,

Welcoming the general principles on a political solution to the Kosovo crisis adopted on 6 May 1999, contained in annex I to the present resolution,[64] and welcoming also the acceptance by the Federal Republic of Yugoslavia of the principles set forth in points 1 to 9 of the paper presented in Belgrade on 2 June 1999, contained in annex II to the present resolution,[65] and the agreement of the Federal Republic of Yugoslavia to that paper,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other States of the region, as set out in the Final Act of the Conference on Security and Cooperation in Europe, signed at Helsinki 1 August 1975, and in annex II to the present resolution,

Reaffirming the call in previous resolutions for substantial autonomy and meaningful self-administration for Kosovo,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to ensure the safety and security of international personnel and the implementation by all concerned of their responsibilities under the present resolution, and acting for these purposes under Chapter VII of the Charter of the United Nations,

1. *Decides* that a political solution to the Kosovo crisis shall be based on the general principles in annex I to the present resolution and as further elaborated in the principles and other required elements in annex II;

2. *Welcomes* the acceptance by the Federal Republic of Yugoslavia of the principles and other required elements referred to in paragraph 1 above, and demands the full cooperation of the Federal Republic of Yugoslavia in their rapid implementation;

3. *Demands* in particular that the Federal Republic of Yugoslavia put an immediate and verifiable end to violence and repression in Kosovo, and begin and complete a verifiable phased withdrawal from Kosovo of all military, police and paramilitary forces according to a rapid timetable, with which the deployment of the international security presence in Kosovo will be synchronized;

4. *Confirms* that after the withdrawal, an agreed number of Yugoslav and Serb military and police personnel will be permitted to return to Kosovo to perform the functions in accordance with annex II;

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[63] S/1999/402, annex.

[64] See also S/1999/516.

[65] See also S/1999/649.

5. *Decides* on the deployment in Kosovo, under United Nations auspices, of international civil and security presences, with appropriate equipment and personnel as required, and welcomes the agreement of the Federal Republic of Yugoslavia to such presences;

6. *Requests* the Secretary-General to appoint, in consultation with the Security Council, a Special Representative to control the implementation of the international civil presence, and further requests the Secretary-General to instruct his Special Representative to coordinate closely with the international security presence to ensure that both presences operate towards the same goals and in a mutually supportive manner;

7. *Authorizes* Member States and relevant international organizations to establish the international security presence in Kosovo as set out in point 4 of annex II with all necessary means to fulfil its responsibilities under paragraph 9 below;

8. *Affirms* the need for the rapid early deployment of effective international civil and security presences to Kosovo, and demands that the parties cooperate fully in their deployment;

9. *Decides* that the responsibilities of the international security presence to be deployed and acting in Kosovo will include:

(*a*) Deterring renewed hostilities, maintaining and where necessary enforcing a ceasefire, and ensuring the withdrawal and preventing the return into Kosovo of Federal and Republic military, police and paramilitary forces, except as provided for in point 6 of annex II;

(*b*) Demilitarizing the Kosovo Liberation Army and other armed Kosovo Albanian groups, as required in paragraph 15 below;

(*c*) Establishing a secure environment in which refugees and displaced persons can return home in safety, the international civil presence can operate, a transitional administration can be established and humanitarian aid can be delivered;

(*d*) Ensuring public safety and order until the international civil presence can take responsibility for this task;

(*e*) Supervising demining until the international civil presence can, as appropriate, take responsibility for this task;

(*f*) Supporting, as appropriate, and coordinating closely with the work of the international civil presence;

(*g*) Conducting border monitoring duties as required;

(*h*) Ensuring the protection and freedom of movement of itself, the international civil presence, and other international organizations;

10. *Authorizes* the Secretary-General, with the assistance of relevant international organizations, to establish an international civil presence in Kosovo in order to provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia and which will provide for a transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo;

11. *Decides* that the main responsibilities of the international civil presence will include:

(*a*) Promoting the establishment, pending a final settlement, of substantial autonomy and self-government in Kosovo, taking full account of annex II and of the Rambouillet Accords;[66]

(*b*) Performing basic civilian administrative functions where and as long as required;

[66] S/1999/648, annex.

(*c*) Organizing and overseeing the development of provisional institutions for democratic and autonomous self-government pending a political settlement, including the holding of elections;

(*d*) Transferring, as these institutions are established, its administrative responsibilities while overseeing and supporting the consolidation of Kosovo's local provisional institutions and other peace-building activities;

(*e*) Facilitating a political process designed to determine the future status of Kosovo, taking into account the Rambouillet Accords;

(*f*) In a final stage, overseeing the transfer of authority from Kosovo's provisional institutions to institutions established under a political settlement;

(*g*) Supporting the reconstruction of key infrastructure and other economic reconstruction;

(*h*) Supporting, in coordination with international humanitarian organizations, humanitarian and disaster relief aid;

(*i*) Maintaining civil law and order, including establishing local police forces and in the meantime through the deployment of international police personnel to serve in Kosovo;

(*j*) Protecting and promoting human rights;

(*k*) Assuring the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo;

12. *Emphasizes* the need for coordinated humanitarian relief operations, and for the Federal Republic of Yugoslavia to allow unimpeded access to Kosovo by humanitarian aid organizations and to cooperate with such organizations so as to ensure the fast and effective delivery of international aid;

13. *Encourages* all Member States and international organizations to contribute to economic and social reconstruction as well as to the safe return of refugees and displaced persons, and emphasizes in this context the importance of convening an international donors conference, particularly for the purposes set out in paragraph 11 (*g*) above, at the earliest possible date;

14. *Demands* full cooperation by all concerned, including the international security presence, with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991;

15. *Demands* that the Kosovo Liberation Army and other armed Kosovo Albanian groups end immediately all offensive actions and comply with the requirements for demilitarization as laid down by the head of the international security presence in consultation with the Special Representative of the Secretary-General;

16. *Decides* that the prohibitions imposed by paragraph 8 of resolution 1160 (1998) shall not apply to arms and related materiel for the use of the international civil and security presences;

17. *Welcomes* the work in hand in the European Union and other international organizations to develop a comprehensive approach to the economic development and stabilization of the region affected by the Kosovo crisis, including the implementation of a stability pact for South-Eastern Europe, with broad international participation, in order to further the promotion of democracy, economic prosperity, stability and regional cooperation;

18. *Demands* that all States in the region cooperate fully in the implementation of all aspects of the present resolution;

19. *Decides* that the international civil and security presences are established for an initial period of twelve months, to continue thereafter unless the Security Council decides otherwise;

20. *Requests* the Secretary-General to report to the Council at regular intervals on the implementation of the present resolution, including reports from the leadership of the international civil and security presences, the first reports to be submitted within thirty days of the adoption of this resolution;

21. *Decides* to remain actively seized of the matter.

Adopted at the 4011th meeting
by 14 votes to none, with 1 abstention
(China).

Annex I

Statement by the Chairman on the conclusion of the meeting of the G-8 Foreign Ministers held at the Petersberg Centre on 6 May 1999

The G-8 Foreign Ministers adopted the following general principles on the political solution to the Kosovo crisis:

- Immediate and verifiable end of violence and repression in Kosovo;
- Withdrawal from Kosovo of military, police and paramilitary forces;
- Deployment in Kosovo of effective international civil and security presences, endorsed and adopted by the United Nations, capable of guaranteeing the achievement of the common objectives;
- Establishment of an interim administration for Kosovo to be decided by the Security Council of the United Nations to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo;
- The safe and free return of all refugees and displaced persons and unimpeded access to Kosovo by humanitarian aid organizations;
- A political process towards the establishment of an interim political framework agreement providing for substantial self-government for Kosovo, taking full account of the Rambouillet Accords[66] and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of the Kosovo Liberation Army;
- Comprehensive approach to the economic development and stabilization of the crisis region.

Annex II

Agreement should be reached on the following principles to move towards a resolution of the Kosovo crisis:

1. An immediate and verifiable end to violence and repression in Kosovo.
2. A verifiable withdrawal from Kosovo of all military, police and paramilitary forces according to a rapid timetable.
3. Deployment in Kosovo under United Nations auspices of effective international civil and security presences, acting as may be decided under Chapter VII of the Charter of the United Nations, capable of guaranteeing the achievement of common objectives.
4. The international security presence with substantial North Atlantic Treaty Organization participation must be deployed under unified command and control and authorized to establish a safe environment for all people in Kosovo and to facilitate the safe return to their homes of all displaced persons and refugees.

5. The establishment of an interim administration for Kosovo as a part of the international civil presence under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, to be decided by the Security Council of the United Nations. The interim administration would provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo.

6. After withdrawal, an agreed number of Yugoslav and Serbian personnel will be permitted to return to perform the following functions:

   - Liaising with the international civil mission and the international security presence;
   - Marking/clearing minefields;
   - Maintaining a presence at Serb patrimonial sites;
   - Maintaining a presence at key border crossings.

7. The safe and free return of all refugees and displaced persons under the supervision of the Office of the United Nations High Commissioner for Refugees and unimpeded access to Kosovo by humanitarian aid organizations.

8. A political process towards the establishment of an interim political framework agreement providing for substantial self-government for Kosovo, taking full account of the Rambouillet Accords[66] and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of the Kosovo Liberation Army. Negotiations between the parties for a settlement should not delay or disrupt the establishment of democratic self-governing institutions.

9. A comprehensive approach to the economic development and stabilization of the crisis region. This will include the implementation of a stability pact for South-Eastern Europe with broad international participation in order to further the promotion of democracy, economic prosperity, stability and regional cooperation.

10. The suspension of military activity will require acceptance of the principles set forth above in addition to agreement to other, previously identified, required elements, which are specified in the note below. A military-technical agreement will then be rapidly concluded that would, among other things, specify additional modalities, including the roles and functions of Yugoslav/Serb personnel in Kosovo:

Withdrawal

   - Procedures for withdrawals, including the phased, detailed schedule and delineation of a buffer area in Serbia beyond which forces will be withdrawn;

Returning personnel

   - Equipment associated with returning personnel;
   - Terms of reference for their functional responsibilities;
   - Timetable for their return;
   - Delineation of their geographical areas of operation;
   - Rules governing their relationship to the international security presence and the international civil mission.

Note

Other required elements

- A rapid and precise timetable for withdrawals, meaning, for example, seven days to complete withdrawal, and air defence weapons outside a 25-kilometre mutual safety zone to be withdrawn within 48 hours;
- The return of personnel for the four functions specified above will be under the supervision of the international security presence and will be limited to a small, agreed number (hundreds, not thousands);
- The suspension of military activity will occur after the beginning of verifiable withdrawals;
- The discussion and achievement of a military-technical agreement shall not extend the previously determined time for completion of withdrawals.

Decisions

On 14 June 1999, the President of the Security Council addressed the following letter to the Secretary-General:[67]

> "I have the honour to inform you that your letter dated 11 June 1999 concerning your intention to appoint Mr. Sergio Vieira de Mello, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, as your Special Representative on an interim basis to control the implementation of the international civil presence to be established in Kosovo, Federal Republic of Yugoslavia,[68] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 17 June 1999, the President of the Security Council addressed the following letter to the Secretary-General:[69]

> "I have the honour to refer to paragraph 18 of your report of 12 June 1999 submitted pursuant to paragraph 10 of Security Council resolution 1244 (1999),[70] and, following consultations of the Council, to inform you that the members of the Council approve of the concept of operations for the United Nations Interim Administration Mission in Kosovo outlined in that report."

On 6 July 1999, the President of the Security Council addressed the following letter to the Secretary-General:[71]

> "I have the honour to inform you that your letter dated 2 July 1999 concerning your intention to appoint Mr. Bernard Kouchner as your Special Representative to head the United Nations Interim Administration Mission in Kosovo, Federal Republic of Yugoslavia,[72] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 5 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[73]

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[67] S/1999/676.

[68] S/1999/675.

[69] S/1999/689.

[70] S/1999/672.

[71] S/1999/749.

[72] S/1999/748.

[73] S/1999/1119.

"With reference to your report on the United Nations Interim Administration Mission in Kosovo[74] and the addendum thereto,[75] in which you recommended that the total number of United Nations civilian police officers in the Mission should be increased to 4,718, I have the honour to inform you that the members of the Security Council take note of the proposed increase."

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Decisions

At its 4061st meeting, held in private on 5 November 1999, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4061st meeting, held in private on 5 November 1999, the Security Council considered the item entitled 'Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)'. The representatives of Albania, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Denmark, Egypt, Finland, Germany, Greece, Guatemala, Hungary, India, the Islamic Republic of Iran, Ireland, Italy, Jamaica, Japan, Lithuania, Luxembourg, Mexico, Morocco, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, the Republic of Korea, Romania, San Marino, Singapore, Slovakia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey and Ukraine were invited, at their request, to participate in accordance with rule 37 of the provisional rules of procedure of the Council.

"Mr. Branislav Srdanovic was invited at the resquest of Mr. Vladislav Jovanovic to participate.

"The Permanent Observer of Switzerland to the United Nations was also invited, at his request, in accordance with the understanding reached in the Council's prior consultations, to participate without vote.

"The Council heard a briefing under rule 39 of its provisional rules of procedure by Mr. Bernard Kouchner, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, Federal Republic of Yugoslavia. The members of the Council made comments and posed questions in connection with the briefing. Mr. Kouchner responded to the comments and questions posed by members of the Council."

At its 4086th meeting, held in private on 30 December 1999, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4086th meeting, held in private on 30 December 1999, the Security Council considered the item entitled "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)". The representatives of Austria, Bangladesh, Belarus, Belgium, Bulgaria, Croatia, Cuba, the Czech Republic, Denmark, Egypt, Finland, Germany, Greece, Hungary, Italy, Luxembourg, Norway, Pakistan, Poland, Romania, Singapore, Slovakia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey and Ukraine were invited, at their request, to participate in accordance with rule 37 of the provisional rules of procedure of the Council.

[74] S/1999/987.

[75] S/1999/987/Add.1.

"Mr. Vladislav Jovanovic was invited, at his request, to be seated at the Council table during the discussion.

"The Permanent Observer of the Holy See to the United Nations was also invited, at his request, in accordance with the understanding reached in the Council's prior consultations, to participate.

"The Council heard a briefing under rule 39 of its provisional rules of procedure by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council made comments and posed questions in connection with the briefing. Mr. Annabi responded to the comments and questions posed by members of the Council."

C. The situation in the former Yugoslav Republic of Macedonia

[Resolutions or decisions on this question were adopted by the Security Council in 1995, 1996, 1997 and 1998.]

Decisions

At its 3982nd meeting, on 25 February 1999, the Security Council decided to invite the representatives of Bulgaria, Germany, Italy and the former Yugoslav Republic of Macedonia to participate, without vote, in the discussion of the item entitled:

"The situation in the former Yugoslav Republic of Macedonia

"Report of the Secretary-General on the United Nations Preventive Deployment Force pursuant to Security Council resolution 1186 (1998) (S/1999/161)".

On 23 December 1999, the President of the Security Council addressed the following letter to the Secretary-General:[76]

"I have the honour to inform you that your letter dated 21 December 1999 concerning your decision to appoint Mr. Matthew Nimetz, of the United States of America, to replace Mr. Cyrus Vance as your Personal Envoy,[77] has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter.

D. The situation in Bosnia and Herzegovina

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.]

Decisions

On 17 March 1999, the President of the Security Council addressed the following letter to the Secretary-General:[78]

"I have the honour to inform you that your letter dated 12 March 1999 concerning your intention to appoint Colonel Detlef Buwitt, of Germany, as Commissioner of the International Police Task Force[79] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[76] S/1999/1287.

[77] S/1999/1286.

[78] S/1999/288.

[79] S/1999/287.

At its 4014th meeting, on 18 June 1999, the Council decided to invite the representatives of Bosnia and Herzegovina, Germany and Italy to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

"Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/1999/670)".

Resolution 1247 (1999)
of 18 June 1999

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, including resolutions 1031 (1995) of 15 December 1995, 1035 (1995) of 21 December 1995, 1088 (1996) of 12 December 1996, 1144 (1997) of 19 December 1997, 1168 (1998) of 21 May 1998, 1174 (1998) of 15 June 1998 and 1184 (1998) of 16 July 1998,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Underlining its commitment to supporting implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[80]

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational Stabilization Force, the Special Representative of the Secretary-General and the personnel of the United Nations Mission in Bosnia and Herzegovina, including the Commissioner and personnel of the International Police Task Force, and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Noting that the States in the region must play a constructive role in the successful development of the peace process in Bosnia and Herzegovina, and noting especially the obligations of the Republic of Croatia and the Federal Republic of Yugoslavia in this regard as signatories to the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Taking note of the declaration of the ministerial meeting of the Peace Implementation Council in Madrid on 16 December 1998[81] and the conclusions of its previous meetings,

Noting the reports of the High Representative, including his latest report of 5 May 1999,[82]

Having considered the report of the Secretary-General of 11 June 1999,[83]

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Acting under Chapter VII of the Charter,

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[80] See S/1995/999.

[81] See S/1999/139.

[82] S/1999/524, annex.

[83] S/1999/670.

I

1. *Reaffirms once again* its support for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[80] as well as for the Dayton Agreement on implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[84] calls upon the parties to comply strictly with their obligations under those Agreements, and expresses its intention to keep the implementation of the Peace Agreement, and the situation in Bosnia and Herzegovina, under review;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines the fact that full cooperation by States and entities with the International Tribunal includes the surrender for trial of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that the High Representative is the final authority in theatre regarding the interpretation of annex 10 on civilian implementation of the Peace Agreement and that in case of dispute he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn on 9 and 10 December 1997;[85]

5. *Expresses its support* for the declaration of the ministerial meeting of the Peace Implementation Council in Madrid on 16 December 1998;[81]

6. *Recognizes* that the parties have authorized the multinational force referred to in paragraph 10 below to take such actions as required, including the use of necessary force, to ensure compliance with annex 1-A of the Peace Agreement;

7. *Reaffirms its intention* to keep the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 25 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

8. *Pays tribute* to those Member States which participated in the multinational Stabilization Force established in accordance with its resolution 1088 (1996), and welcomes their

[84] S/1995/1021, annex.

[85] See S/1997/979, annex.

willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational Stabilization Force;

9. *Notes* the support of the parties to the Peace Agreement for the continuation of the Stabilization Force, set out in the declaration of the ministerial meeting of the Peace Implementation Council in Madrid;

10. *Authorizes* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue for a further planned period of twelve months the Stabilization Force as established in accordance with its resolution 1088 (1996) under unified command and control in order to fulfil the role specified in annexes 1-A and 2 of the Peace Agreement, and expresses its intention to review the situation with a view to extending this authorization further as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

11. *Authorizes* the Member States acting under paragraph 10 above to take all necessary measures to effect the implementation of and to ensure compliance with annex 1-A of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with that annex and shall be equally subject to such enforcement action by the Stabilization Force as may be necessary to ensure implementation of that annex and the protection of the Force, and takes note that the parties have consented to the Force taking such measures;

12. *Authorizes* Member States to take all necessary measures, at the request of the Stabilization Force, either in defence of the Force or to assist the Force in carrying out its mission, and recognizes the right of the Force to take all necessary measures to defend itself from attack or threat of attack;

13. *Authorizes* the Member States acting under paragraph 10 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures established by the Commander of the Stabilization Force, governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

14. *Requests* the authorities in Bosnia and Herzegovina to cooperate with the Commander of the Stabilization Force to ensure the effective management of the airports of Bosnia and Herzegovina, in the light of the responsibilities conferred on the Force by annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

15. *Demands* that the parties respect the security and freedom of movement of the Stabilization Force and other international personnel;

16. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraph 10 above;

17. *Recalls* all the agreements concerning the status of forces as referred to in appendix B to annex 1-A of the Peace Agreement, and reminds the parties of their obligation to continue to comply therewith;

18. *Requests* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue to report to the Council, through the appropriate channels and at least at monthly intervals;

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* *

Reaffirming the legal basis in the Charter of the United Nations on which the International Police Task Force was given its mandate in resolution 1035 (1995),

III

19. *Decides* to extend the mandate of the United Nations Mission in Bosnia and Herzegovina, which includes the International Police Task Force, for an additional period terminating on 21 June 2000, and also decides that the Task Force shall continue to be entrusted with the tasks set out in annex 11 of the Peace Agreement, including the tasks referred to in the conclusions of the Peace Implementation Conferences held in London on 4 and 5 December 1996,[86] Bonn on 9 and 10 December 1997,[85] Luxembourg on 9 June 1998[87] and Madrid on 15 and 16 December 1998 [81] and agreed by the authorities in Bosnia and Herzegovina;

20. *Requests* the Secretary-General to keep the Council regularly informed on the work of the International Police Task Force and its progress in assisting the restructuring of law enforcement agencies and the progress of the Mission in monitoring and assessing the court system, and to report every three months on the implementation of the mandate of the Mission as a whole;

21. *Reiterates* that the successful implementation of the tasks of the International Police Task Force rests on the quality, experience and professional skills of its personnel, and once again urges Member States, with the support of the Secretary-General, to ensure the provision of such qualified personnel;

22. *Reaffirms* the responsibility of the parties to cooperate fully with, and to instruct their respective responsible officials and authorities to provide their full support to the International Police Task Force on all relevant matters;

23. *Reiterates its call upon* all concerned to ensure the closest possible coordination between the High Representative, the Stabilization Force, the Mission and the relevant civilian organizations and agencies so as to ensure the successful implementation of the Peace Agreement and of the priority objectives of the civilian consolidation plan, as well as the security of personnel of the International Police Task Force;

24. *Urges* Member States, in response to demonstrable progress by the parties in restructuring their law enforcement institutions, to intensify their efforts to provide, on a voluntary-funded basis and in coordination with the International Police Task Force, training, equipment and related assistance for local police forces in Bosnia and Herzegovina;

25. *Requests* the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London, and later Peace Implementation Conferences, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

26. *Decides* to remain seized of the matter.

Adopted unanimously at the 4014th meeting

Decisions

On 12 July 1999, the President of the Security Council addressed the following letter to the Secretary-General:[88]

> "I have the honour to inform you that your letter dated 8 July 1999 concerning your intention to appoint Mr. Jacques Paul Klein, of the United States of America, as your Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina[89] has been brought to the attention of the members of the Security Council. They agree with

[86] See S/1996/1012, annex.

[87] See S/1998/498, annex.

[88] S/1999/775.

[89] S/1999/774.

the intention expressed in your letter. They also take this opportunity to join you in expressing deep appreciation for the exemplary way in which Ms. Elisabeth Rehn has carried out her important assignment."

At its 4030th meeting, on 3 August 1999, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in Bosnia and Herzegovina".

Resolution 1256 (1999) of 3 August 1999

The Security Council,

Recalling its resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996 and 1112 (1997) of 12 June 1997,

Recalling also the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement")[80] and the conclusions of the Peace Implementation Conferences held in Bonn on 9 and 10 December 1997[85] and Madrid on 15 and 16 December 1998,[81]

1. *Welcomes and agrees* to the designation by the Steering Board of the Peace Implementation Council on 12 July 1999 of Mr. Wolfgang Petritsch as High Representative in succession to Mr. Carlos Westendorp;

2. *Pays tribute* to the efforts of Mr. Westendorp in his work as High Representative;

3. *Reaffirms* the importance it attaches to the role of the High Representative in pursuing the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement")[80] and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement;

4. *Reaffirms also* the final authority of the High Representative in theatre regarding the interpretation of annex 10 on civilian implementation of the Peace Agreement.

Adopted unanimously at the 4030th meeting.

Decisions

At its 4058th meeting, held in private on 26 October 1999, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 4058th meeting, held in private on 26 October 1999, the Security Council considered the item entitled 'The situation in Bosnia and Herzegovina'. The representatives of Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Denmark, Egypt, Finland, Germany, Greece, Hungary, India, Italy, Jamaica, Japan, Luxembourg, Malta, Mexico, Norway, Poland, Portugal, Republic of Korea, Romania, Singapore, Slovakia, South Africa, Sweden, Turkey and Ukraine were invited, at their request, to participate in accordance with rule 37 of the provisional rules of procedure of the Council.

"The Council heard a briefing under rule 39 of its provisional rules of procedure by Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina. The members of the Council made comments and posed questions in connection with the briefing. Mr. Klein responded to the comments and questions posed by members of the Council."

At its 4062nd meeting, held in private on 8 November 1999, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 5 of the provisional rules of procedure of the Council:

"At its 4062nd meeting, held in private on 8 November 1999, the Security Council considered the item entitled 'The situation in Bosnia and Herzegovina'. The representatives of Algeria, Armenia, Australia, Austria, Bangladesh, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Egypt, Finland, Georgia, Germany, Greece, Hungary, India, the Islamic Republic of Iran, Iraq, Italy, Jamaica, Japan, Jordan, Kenya, Lithuania, Luxembourg, Mexico, Morocco, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Qatar, the Republic of Korea, the Republic of Moldova, Romania, Singapore, Slovakia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey and Ukraine were invited, at their request, to participate in accordance with rule 37 of the provisional rules of procedure of the Council.

"The Permanent Observer of Switzerland to the United Nations was also invited, at his request, in accordance with the understanding reached in the Council's prior consultations, to participate without vote.

"The Council heard a briefing under rule 39 of its provisional rules of procedure by Mr. Wolfgang Petritsch, High Representative for the implementation of the peace agreement on Bosnia and Herzegovina. The members of the Council made comments and posed questions in connection with the briefing. Mr. Petritsch responded to the comments and questions posed by members of the Council."

At its 4069th meeting, on 15 November 1999, the Security Council considered the item entitled:

"The situation in Bosnia and Herzegovina

"Briefing by the Presidency of Bosnia and Herzegovina".

In accordance with the understanding reached in the Council's prior consulations, the Council invited the members of the Presidency of Bosnia and Herzegovina to take a seat at the Council table.

E. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

[Resolutions or decisions on this question were also adopted by the Security Council in 1996 and 1998.]

Decisions

On 28 June 1999, the President of the Security Council addressed the following letter to the Secretary-General:[90]

"I have the honour to inform you that your letter dated 21 June 1999 concerning the composition of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[91] has been brought to the attention of the members of the Security Council. Having consulted those members, I support your intention to appoint Ms. Patricia McGowan Wald as a Judge of the Chambers of the International Tribunal."

[90] S/1999/728.

[91] S/1999/727.

On 29 December 1999, the President of the Security Council addressed the following letter to the Secretary-General:[92]

"I have the honour to inform you that your letter dated 20 December 1999 concerning the composition of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[93] has been brought to the attention of the members of the Security Council. Having consulted the members of the Council, I concur with your intention to appoint Mr. Fausto Pocar as a Judge of the International Tribunal."

PROMOTING PEACE AND SECURITY: HUMANITARIAN ACTIVITIES RELEVANT TO THE SECURITY COUNCIL

Decisions

At its 3968th meeting, on 21 January 1999, the Security Council considered the item entitled "Promoting peace and security: Humanitarian activities relevant to the Security Council".

At the same meeting, the Council decided to extend an invitation, under rule 39 of the provisional rules of procedure of the Council, to the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

THE SITUATION IN THE MIDDLE EAST

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1967.]

Decision

At its 3970th meeting, on 28 January 1999, the Security Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/1999/61)".

Resolution 1223 (1999) of 28 January 1999

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March 1978, 501 (1982) of 25 February 1982, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982 and 520 (1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General of 19 January 1999 on the United Nations Interim Force in Lebanon,[94] and taking note of the observations expressed and the commitments mentioned therein,

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[92] S/1999/1305.

[93] S/1999/1304.

[94] S/1999/61.

Taking note of the letter dated 8 January 1999 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[95]

Responding to the request of the Government of Lebanon,

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon for a further period of six months, that is, until 31 July 1999;

2. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

3. *Re-emphasizes* the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426 (1978),[96] and calls upon all parties concerned to cooperate fully with the Force for the full implementation of its mandate;

4. *Condemns* all acts of violence committed in particular against the Force, and urges the parties to put an end to them;

5. *Reiterates* that the Force should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;

6. *Encourages* further efficiency and savings provided they do not affect the operational capacity of the Force;

7. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

Adopted unanimously at the 3970th meeting.

Decisions

At the 3970th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[97]

"The Security Council has noted with appreciation the report of the Secretary-General of 19 January 1999 on the United Nations Interim Force in Lebanon, submitted in conformity with resolution 1188 (1998) of 30 July 1998.[94]

"The Council reaffirms its commitment to the full sovereignty, political independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries. In this context, the Council asserts that all States shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

"As the Council extends the mandate of the Force for a further interim period on the basis of resolution 425 (1978), it again stresses the urgent need for the implementation of that resolution in all its aspects. It reiterates its full support for the Taif Agreement of 22 October 1989 and for the continued efforts of the Lebanese Government to consolidate peace, national unity and security in the country, while successfully carrying out the reconstruction process. The Council commends the Lebanese Government for its successful effort to extend its authority in the south of the country in full coordination with the Force.

"The Council expresses its concern over the continuing violence in southern Lebanon, regrets the loss of civilian life and urges all parties to exercise restraint.

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[95] S/1999/22.

[96] S/12611.

[97] S/PRST/1999/4.

"The Council takes this opportunity to express its appreciation for the continuing efforts of the Secretary-General and his staff in this regard. The Council notes with deep concern the high level of casualties the Force has suffered and pays a special tribute to all those who gave their lives while serving in the Force. It commends the troops of the Force and troop-contributing countries for their sacrifices and commitment to the cause of international peace and security under difficult circumstances."

At its 4009th meeting, on 27 May 1999, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/1999/575)".

Resolution 1243 (1999)
of 27 May 1999

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force of 18 May 1999,[98]

Decides:

(*a*) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

(*b*) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1999;

(*c*) To request the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 4009th meeting.

Decisions

At the 4009th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[99]

"In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[98] states, in paragraph 11: "Despite the present quiet in the Israeli-Syrian sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached." That statement of the Secretary-General reflects the view of the Security Council.' "

At its 4028th meeting, on 30 July 1999, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/1999/807)".

[98] S/1999/575.

[99] S/PRST/1999/15.

Resolution 1254 (1999) of 30 July 1999

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March 1978, 501 (1982) of 25 February 1982, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982 and 520 (1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General of 21 July 1999 on the United Nations Interim Force in Lebanon,[100] and taking note of the observations expressed and the commitments mentioned therein,

Taking note of the letter dated 25 June 1999 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[101]

Responding to the request of the Government of Lebanon,

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon for a further period of six months, that is, until 31 January 2000;

2. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

3. *Re-emphasizes* the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426 (1978),[98] and calls upon all parties concerned to cooperate fully with the Force for the full implementation of its mandate;

4. *Condemns* all acts of violence committed in particular against the Force, and urges the parties to put an end to them;

5. *Reiterates* that the Force should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;

6. *Encourages* further efficiency and savings provided they do not affect the operational capacity of the Force;

7. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

Adopted unanimously at the 4028th meeting.

Decisions

At the 4028th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[102]

> "The Security Council has noted with appreciation the report of the Secretary-General of 21 July 1999 on the United Nations Interim Force in Lebanon, submitted in conformity with resolution 1223 (1999) of 28 January 1999.[100]
>
> "The Council reaffirms its commitment to the full sovereignty, political independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries. In this context, the Council asserts that all States shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

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[100] S/1999/807.

[101] S/1999/720.

[102] S/PRST/1999/24.

"As the Council extends the mandate of the Force for a further interim period on the basis of resolution 425 (1978), it again stresses the urgent need for the implementation of that resolution in all its aspects. It reiterates its full support for the Taif Agreement of 22 October 1989 and for the continued efforts of the Lebanese Government to consolidate peace, national unity and security in the country, while successfully carrying out the reconstruction process. The Council commends the Lebanese Government for its successful effort to extend its authority in the south of the country in full coordination with the Force.

"The Council expresses its concern over the continuing violence in southern Lebanon, regrets the loss of civilian life, and urges all parties to exercise restraint.

"The Council takes this opportunity to express its appreciation for the continuing efforts of the Secretary-General and his staff in this regard. The Council notes with deep concern the high level of casualties the Force has suffered and pays a special tribute to all those who gave their lives while serving in the Force. It commends the troops of the Force and troop-contributing countries for their sacrifices and commitment to the cause of international peace and security under difficult circumstances."

On 15 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[103]

"I have the honour to inform you that your letter dated 9 November 1999 regarding your intention to appoint Major General Seth Kofi Obeng, of Ghana, to the post of Force Commander of the United Nations Interim Force in Lebanon[104] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

At its 4071st meeting, on 24 November 1999, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/1999/1175)".

Resolution 1276 (1999)
of 24 November 1999

The Security Council,

Having considered the report of the Secretary-General of 15 November 1999 on the United Nations Disengagement Observer Force,[105]

Decides:

(*a*) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

(*b*) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 2000;

(*c*) To request the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 4071st meeting.

[103] S/1999/1168.
[104] S/1999/1167.
[105] S/1999/1175.

Decisions

At the 4071st meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[106]

"In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[105] states, in paragraph 10: "Despite the present quiet in the Israeli-Syrian sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached." That statement of the Secretary-General reflects the view of the Security Council.' "

THE SITUATION CONCERNING WESTERN SAHARA

[Resolutions or decisions on this question were also adopted by the Security Council in 1975, 1988 and 1990 to 1998.]

Decision

At its 3971st meeting, on 28 January 1999, the Security Council considered the item entitled "The situation concerning Western Sahara".

Resolution 1224 (1999)
of 28 January 1999

The Security Council,

Recalling all its previous resolutions on the question of Western Sahara,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 11 February 1999;

2. *Requests* the Secretary-General to keep the Council informed of all significant developments in the implementation of the settlement plan[107] and the agreements reached between the parties, and, as appropriate, on the continuing viability of the mandate of the Mission;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 3971st meeting.

Decision

At its 3976th meeting, on 11 February 1999, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1999/88)".

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[106] S/PRST/1999/33.

[107] See S/21360 and S/22464.

Resolution 1228 (1999) of 11 February 1999

The Security Council,

Recalling all its previous resolutions on the question of Western Sahara, and reaffirming in particular resolutions 1204 (1998) of 30 October 1998 and 1215 (1998) of 17 December 1998,

Welcoming the report of the Secretary-General of 28 January 1999[108] and the observations and recommendations contained therein,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 March 1999 to allow for consultations in the hope and expectation of agreement on the protocols on identification, appeals and repatriation planning activities, as well as on the essential issue of the implementation calendar, without undermining the integrity of the Secretary-General's proposed package of measures or calling into question its main elements, for the prompt resumption of voter identification and initiation of the appeals process;

2. *Requests* both parties to take concrete action to enable the Office of the United Nations High Commissioner for Refugees to carry out the necessary preparatory work for the repatriation of Saharan refugees eligible to vote, and their immediate families, according to the settlement plan;[107]

3. *Requests* the Secretary-General to report to the Council by 22 March 1999 on the implementation of the present resolution;

4. *Supports* the intention of the Secretary-General to ask his Personal Envoy to reassess the viability of the mandate of the Mission should the prospects for putting the package of measures into effect remain elusive at the time of submission of the next report of the Secretary-General;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 3976th meeting.

Decision

At its 3990th meeting, on 30 March 1999, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1999/307)".

Resolution 1232 (1999) of 30 March 1999

The Security Council,

Recalling all its previous resolutions on the question of Western Sahara,

Welcoming the report of the Secretary-General of 22 March 1999[109] and the observations and recommendations contained therein,

Welcoming also the agreement in principle to the Secretary-General's package of measures by the Government of Morocco, and recalling its acceptance by the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 30 April 1999 to allow for an understanding to be reached among all

[108] S/1999/88.

[109] S/1999/307.

concerned on detailed modalities for the implementation of the identification and appeals protocols, including a revised implementation schedule, in a manner that would preserve the integrity of the Secretary-General's package of measures;

2. *Requests* both parties to move ahead with the necessary discussions to reach an agreement on the refugee repatriation protocol, so that all aspects of the work needed to prepare the way for the repatriation of refugees may begin, including confidence-building measures, and in that regard welcomes the decision of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to allow the resumption of pre-registration activities of the Office of the United Nations High Commissioner for Refugees in Tindouf;

3. *Welcomes* the signature, by the Government of Morocco and the Force Commander of the Mission, of the agreement on mines and unexploded ordnance mentioned in paragraph 13 of the report of the Secretary-General,[109] and urges the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to engage in a similar effort;

4. *Requests* the Secretary-General to report to the Council by 23 April 1999 on the implementation of the present resolution;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 3990th meeting

Decision

At its 3994th meeting, on 30 April 1999, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1999/483)".

Resolution 1235 (1999)
of 30 April 1999

The Security Council,

Recalling all its previous resolutions on the question of Western Sahara,

Taking note of the report of the Secretary-General of 27 April 1999[110] and the observations and recommendations contained therein,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 14 May 1999;

2. *Requests* the Secretary-General to keep the Council informed of all significant developments in the implementation of the settlement plan[107] and the agreements reached between the parties, and, as appropriate, on the continuing viability of the mandate of the Mission;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 3994th meeting

Decision

At its 4002nd meeting, on 14 May 1999, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1999/483 and Add.1)".

[110] S/1999/483.

Resolution 1238 (1999) of 14 May 1999

The Security Council,

Recalling all its previous resolutions on the question of Western Sahara,

Welcoming the report of the Secretary-General of 27 April 1999[111] and the observations and recommendations contained therein,

Welcoming also the acceptance by the Government of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro of the detailed modalities for the implementation of the Secretary-General's package of measures relating to the identification of voters, the appeals process and the revised implementation timetable as a good foundation for the completion of this phase of the settlement plan[107] and taking note of their respective letters,[112]

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 14 September 1999 in order to resume the identification process, start the appeals process and conclude all outstanding agreements needed to implement the settlement plan,[107] and reaffirms the rights of the applicants, with the expectation that the appeals process will not be turned into a second round of identification;

2. *Supports* the proposed increase in staff of the Identification Commission from twenty-five to thirty members, and the proposed increase also in the necessary support activities, in order to strengthen the Commission and enable it to continue working with full authority and independence, in accordance with its mandate as authorized by the Security Council, and to accomplish its tasks expeditiously;

3. *Requests* the Secretary-General to report every forty-five days on significant developments in the implementation of the settlement plan, in particular on the following issues which will form, inter alia, the basis of its consideration of a further extension of the mandate of the Mission: full and unequivocal cooperation of the parties during the resumption of voter identification and during the start of the appeals process; agreement by the Government of Morocco on the modalities for implementing paragraph 42 of the status-of-forces agreement; agreement of the parties on the protocol relating to refugees; and confirmation that the Office of the United Nations High Commissioner for Refugees is fully operational in the region;

4. *Requests* the Office of the High Commissioner to provide the Security Council with recommendations for confidence-building measures and time lines for their implementation;

5. *Requests* the Secretary-General to submit to the Council a revised timetable and financial implications for the holding of the referendum for the self-determination of the people of Western Sahara in accordance with the settlement plan and the agreements with the parties for its implementation;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 4002nd meeting.

Decisions

On 21 May 1999, the President of the Security Council addressed the following letter to the Secretary-General:[113]

"I have the honour to inform you that your letter dated 18 May 1999 concerning your decision to appoint Mr. William Eagleton, of the United States of America, as your Special

[111] S/1999/483 and Add.1.

[112] S/1999/554 and S/1999/555.

[113] S/1999/591.

Representative for Western Sahara[114] has been brought to the attention of the members of the Security Council, who have taken note of it."

At its 4044th meeting, on 13 September 1999, the Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1999/954)".

Resolution 1263 (1999)
of 13 September 1999

The Security Council,

Recalling all its previous resolutions on Western Sahara,

Welcoming the report of the Secretary-General of 8 September 1999[115] and the observations and recommendations contained therein,

Welcoming also the resumption of the identification of voters and the commencement of the appeals process,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 14 December 1999 in order to complete the identification of voters as envisaged in paragraph 21 of the report of the Secretary-General,[115] to implement confidence-building measures and conclude all outstanding agreements needed to implement the settlement plan,[107] and to continue with the appeals process, and reaffirms the rights of the applicants, with the expectation that the appeals process will not be turned into a second round of identification;

2. *Requests* the Secretary-General to report every forty-five days on significant developments in the implementation of the settlement plan;

3. *Also requests* the Secretary-General to submit to the Security Council before the end of the current mandate a comprehensive assessment of steps taken towards the completion of the appeals process, and of staffing requirements as outlined in the report, as well as preparations for the repatriation of refugees and the start of the transitional period;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 4044th meeting.

Decisions

On 1 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[116]

"I have the honour to inform you that your letter dated 28 October 1999 regarding your intention to appoint Brigadier-General Claude Buze, of Belgium, to succeed Brigadier General Bernd S. Lubenik, of Austria, as the Force Commander of the United Nations Mission for the Referendum in Western Sahara[117] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

At its 4080th meeting, on 14 December 1999, the Council considered the item entitled:

"The situation concerning Western Sahara

[114] S/1999/590.
[115] S/1999/954.
[116] S/1999/1110.
[117] S/1999/1109.

"Report of the Secretary-General on the situation concerning Western Sahara (S/1999/1219)".

Resolution 1282 (1999) of 14 December 1999

The Security Council,

Recalling all its previous resolutions on Western Sahara, in particular resolutions 1238 (1999) of 14 May 1999 and 1263 (1999) of 13 September 1999,

Welcoming the report of the Secretary-General of 6 December 1999[118] and the observations and recommendations contained therein,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 29 February 2000 in order to complete the identification of voters, issue a second provisional voters list, and initiate appeals for tribal groupings H41, H61 and J51/52;

2. *Welcomes* the reiteration by the parties of their agreement in principle to the draft plan of action for cross-border confidence-building measures, including person-to-person contacts, submitted pursuant to resolution 1238 (1999), and calls upon them to cooperate with the United Nations High Commissioner for Refugees and the Mission for the initiation of these measures without further delay;

3. *Takes note* of the concern that the problems posed by the current number of candidates who have exercised their right of appeal and the opposing positions taken by the parties on the issue of admissibility seem to allow little possibility for holding the referendum before 2002 or even beyond, and supports the intention of the Secretary-General to instruct his Special Representative to continue his consultations with the parties on these issues, seeking a reconciliation of their opposing views regarding the appeals process, the repatriation of refugees and other crucial aspects of the United Nations settlement plan;[107]

4. *Takes note also* of the assessment by the Secretary-General, however, that difficulties may be encountered in reconciling the opposing views of the parties, and therefore requests the Secretary-General to report before the end of the present mandate on prospects for progress in implementing the settlement plan within a reasonable period of time;

5. *Decides* to remain seized of the matter.

Adopted at the 4080th meeting
by 14 votes to none, with 1 abstention
(Namibia).

THE SITUATION IN GEORGIA

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.*]

Decision

At its 3972nd meeting, on 28 January 1999, the Security Council decided to invite the representatives of Georgia and Germany to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

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[118] S/1999/1219.

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1999/60)".

Resolution 1225 (1999)
of 28 January 1999

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1187 (1998) of 30 July 1998, and the statement by its President of 25 November 1998,[119]

Having considered the report of the Secretary-General of 20 January 1999,[120]

Noting the letter dated 22 January 1999 from the President of Georgia to the President of the Security Council,[121]

Deeply concerned at the continuing tense and unstable situation in the conflict zone and at the risk of resumed fighting,

Deeply concerned also at the continued deadlock in achieving a comprehensive settlement of the conflict in Abkhazia, Georgia,

Welcoming, in this context, the contribution that the United Nations Observer Mission in Georgia and the collective peacekeeping force of the Commonwealth of Independent States have made to stabilizing the situation in the zone of conflict, noting that the working relationship between the Mission and the collective peacekeeping force has been good at all levels, and stressing the importance of continued close cooperation and coordination between them in the performance of their respective mandates,

Recalling the conclusions of the Lisbon summit of the Organization for Security and Cooperation in Europe regarding the situation in Abkhazia, Georgia,[122]

Reaffirming the necessity for the parties strictly to respect human rights, expressing its support for the efforts of the Secretary-General to find ways to improve their observance as an integral part of the work towards a comprehensive political settlement, and noting developments in the work of the United Nations Human Rights Office in Abkhazia, Georgia,

1. *Welcomes* the report of the Secretary-General of 20 January 1999;[120]

2. *Expresses its concern* at the failure of the parties to conclude, after bilateral contacts and the Athens meeting of 16 to 18 October 1998 on confidence-building measures, agreements on security and the non-use of force, the return of refugees and displaced persons and economic reconstruction, and urges the parties to resume bilateral negotiations to this end;

3. *Demands* that both sides widen their commitment to the United Nations-led peace process, continue to seek and engage in dialogue, expand their contacts at all levels and display without delay the necessary will to achieve substantial results on the key issues of the negotiations, and underlines the necessity for the parties to achieve an early and comprehensive political settlement, which includes a settlement on the political status of Abkhazia within the State of Georgia, which fully respects the sovereignty and territorial integrity of Georgia within its internationally recognized borders;

4. *Emphasizes*, in this context, that the readiness and ability of the international community to assist the parties depend on their political will to resolve the conflict through dialogue and mutual accommodation and on their acting in good faith to implement promptly concrete measures towards bringing about a comprehensive political settlement of the conflict;

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[119] S/PRST/1998/34.

[120] S/1999/60.

[121] S/1999/71, annex.

[122] S/1997/57, annex.

5. *Strongly supports* the sustained efforts made by the Secretary-General and his Special Representative with the assistance of the Russian Federation, in its capacity as facilitator, as well as of the Group of Friends of the Secretary-General and the Organization for Security and Cooperation in Europe, to prevent hostilities and to give a new impetus to the negotiations within the United Nations-led peace process in order to achieve a comprehensive political settlement, and welcomes, in this context, the intention of the Secretary-General to propose a strengthening of the civilian component of the United Nations Observer Mission in Georgia;

6. *Demands* that both sides observe strictly the Agreement on a Ceasefire and Separation of Forces, signed in Moscow on 14 May 1994,[123] and all their obligations to refrain from the use of force and to resolve disputed issues by peaceful means only, and calls upon them to display greater resolve and willingness to make the Joint Investigation Group functional;

7. *Expresses its continuing concern* at the situation of refugees and displaced persons, resulting most recently from the hostilities of May 1998, reaffirms the unacceptability of the demographic changes resulting from the conflict and the imprescriptible right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons, of 4 April 1994,[124] and calls upon the parties to address this issue urgently by agreeing and implementing effective measures to guarantee the security of those who exercise their unconditional right to return;

8. *Welcomes*, in this context, the efforts of the Special Representative of the Secretary-General to facilitate, as a first step, the safe return of refugees and displaced persons to the Gali region, and calls upon the parties to resume and intensify their bilateral dialogue to this end;

9. *Condemns* the activities by armed groups, including the continued laying of mines, which endanger the civilian population, impede the work of the humanitarian organizations and seriously delay the normalization of the situation in the Gali region, and deplores the lack of serious efforts by the parties to bring an end to those activities;

10. *Reiterates its demand* that both sides take immediate and determined measures to put a stop to such acts and ensure that the security environment of all international personnel improves significantly, and welcomes the first steps taken in this regard;

11. *Reiterates its deep concern* regarding the security of the Mission, welcomes the implementation of measures in this regard, and requests the Secretary-General to keep the security of the Mission under constant review;

12. *Decides* to extend the mandate of the Mission for a new period terminating on 31 July 1999, subject to a review by the Council of the mandate of the Mission in the event of any changes that may be made in the mandate or in the presence of the collective peacekeeping force of the Commonwealth of Independent States;

13. *Requests* the Secretary-General to continue to keep the Council regularly informed and to report after three months from the date of the adoption of the present resolution on the situation in Abkhazia, Georgia;

14. *Expresses its intention* to conduct a thorough review of the operation at the end of its current mandate, in the light of steps taken by the parties to achieve a comprehensive settlement;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3972nd meeting.

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[123] See S/1994/583 and Corr.1, annex I.

[124] S/1994/397, annex II.

Decisions

At its 3997th meeting, on 7 May 1999, the Security Council considered the item entitled:

"The situation in Georgia

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1999/460)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[125]

"The Security Council has considered the report of the Secretary-General of 21 April 1999 concerning the situation in Abkhazia, Georgia.[126]

"The Council reiterates its demand that both sides widen their commitment to the United Nations-led peace process, continue to seek and engage in dialogue, expand their bilateral contacts and display without delay the necessary will to achieve substantial results on the key issues of the negotiations, and underlines the necessity for the parties to achieve an early and comprehensive political settlement, which includes a settlement on the political status of Abkhazia within the State of Georgia, which fully respects the sovereignty and territorial integrity of Georgia within its internationally recognized borders.

"The Council reaffirms the unacceptability of the demographic changes resulting from the conflict and the imprescriptible right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions, and calls upon the parties to address this issue urgently by agreeing and implementing effective measures to guarantee the security of those who exercise their unconditional right to return.

"The Council welcomes in this context the decision of the Council of Heads of State of the Commonwealth of Independent States of 2 April 1999 on further measures to settle the conflict in Abkhazia, Georgia.[127] The Council notes the conclusions of the eighth session of the Coordinating Council of the Georgian and Abkhaz sides held on 29 April 1999.

"The Council expresses its deep concern at the failure of the parties to reach an agreement on the terms for the return of refugees and displaced persons to the Gali region and measures for economic rehabilitation. The Council stresses the need for them to conclude urgently such an agreement, which would make it possible for the international community to participate in this effort, as well as an agreement on peace and guarantees for the prevention of armed confrontation.

"The Council welcomes the improvements in the security situation, but notes that the general situation in the conflict zone still remains tense and unstable.

"The Council urges the parties to exercise great restraint in their responses to any incidents arising on the ground and to take concrete steps to improve their cooperation in this field. The Council demands that both sides take immediate and determined measures to put a stop to the activities by armed groups, including the continued laying of mines, and to establish a climate of confidence allowing refugees and displaced persons to return. The Council further demands that both sides ensure a full separation of forces from the ceasefire line, in accordance with the ceasefire protocol signed on 25 May 1998, and establish a joint investigation mechanism without further delay.

"The Council welcomes the continued contribution that the United Nations Observer Mission in Georgia and the collective peacekeeping force of the Commonwealth of Independent States have made to stabilizing the situation in the zone of conflict and notes

[125] S/PRST/1999/11.

[126] S/1999/460.

[127] S/1999/392, annex.

that the working relationship between the Mission and the collective peacekeeping force has remained good.

"The Council reaffirms the importance it attaches to the security of the Mission and of all international personnel and recalls the obligations of both sides in this regard. The Council welcomes the steps taken to enhance the operations and security of the Mission.

"The Council strongly supports the sustained efforts made by the Secretary-General and his Special Representative with the assistance of the Russian Federation, in its capacity as facilitator, as well as of the Group of Friends of the Secretary-General and the Organization for Security and Cooperation in Europe to prevent hostilities, to protect human rights and to advance a settlement."

At its 4029th meeting, on 30 July 1999, the Council decided to invite the representatives of Georgia and Germany to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1999/805)".

Resolution 1255 (1999)
of 30 July 1999

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1225 (1999) of 28 January 1999, and the statement by its President of 7 May 1999,[125]

Having considered the report of the Secretary-General of 20 July 1999,[128]

Taking note of the letter dated 19 July 1999 from the President of Georgia to the Secretary-General,[129]

Stressing that, notwithstanding positive developments on some issues, the lack of progress on key issues of a comprehensive settlement of the conflict in Abkhazia, Georgia, is unacceptable,

Deeply concerned at the continuing volatile situation in the conflict zone, welcoming in this regard the important contributions that the United Nations Observer Mission in Georgia and the collective peacekeeping force of the Commonwealth of Independent States continue to make in stabilizing the situation in the zone of conflict, noting that the working relationship between the Mission and the collective peacekeeping force has been good at all levels, and stressing the importance of continuing and increasing close cooperation and coordination between them in the performance of their respective mandates,

Recalling the conclusions of the Lisbon summit of the Organization for Security and Cooperation in Europe regarding the situation in Abkhazia, Georgia,[122]

Reaffirming the necessity for the parties strictly to respect human rights, and expressing its support for the efforts of the Secretary-General to find ways to improve their observance as an integral part of the work towards a comprehensive political settlement,

1. *Welcomes* the report of the Secretary-General of 20 July 1999;[128]

2. *Demands* that the parties to the conflict widen and deepen their commitment to the United Nations-led peace process, continue to expand their dialogue and contacts at all levels and display without delay the necessary will to achieve substantial results on the key issues of the negotiations;

[128] S/1999/805.

[129] S/1999/809, annex.

3. *Strongly supports* the sustained efforts of the Secretary-General and his Special Representative with the assistance of the Russian Federation, in its capacity as facilitator, as well as of the Group of Friends of the Secretary-General and the Organization for Security and Cooperation in Europe to promote the stabilization of the situation and to give new impetus to the negotiations within the United Nations-led peace process in order to achieve a comprehensive political settlement, and commends the tireless efforts of the retiring Special Representative of the Secretary-General, Mr. Liviu Bota, in carrying out his mandate;

4. *Emphasizes*, in this context, that the readiness and ability of the international community to assist the parties depend on their political will to resolve the conflict through dialogue and mutual accommodation and on their acting in good faith to implement promptly concrete measures towards bringing about a comprehensive political settlement of the conflict;

5. *Underlines* the necessity for the parties to achieve an early and comprehensive political settlement, which includes a settlement on the political status of Abkhazia within the State of Georgia, which fully respects the sovereignty and territorial integrity of Georgia within its internationally recognized borders, and supports the intention of the Secretary-General and his Special Representative, in close cooperation with the Russian Federation, in its capacity as facilitator, the Organization for Security and Cooperation in Europe and the Group of Friends of the Secretary-General, to continue to submit proposals for the consideration of the parties on the distribution of constitutional competences between Tbilisi and Sukhumi as part of a comprehensive settlement;

6. *Considers* the holding of self-styled elections in Abkhazia, Georgia, unacceptable and illegitimate;

7. *Expresses its continuing concern* at the situation of refugees and displaced persons, resulting, in particular, from the hostilities of May 1998, reaffirms the unacceptability of the demographic changes resulting from the conflict and the imprescriptible right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons, of 4 April 1994,[124] and calls upon the parties to address this issue urgently by agreeing and implementing effective measures to guarantee the security of those who exercise their unconditional right to return;

8. *Welcomes*, in this context, the efforts of the Special Representative of the Secretary-General to facilitate, as a first step, the safe return of refugees and displaced persons to the Gali region, and emphasizes, in this regard, that the lasting return of the refugees cannot be ensured without concrete results from the bilateral dialogue between the parties, which produce the necessary security and legal guarantees;

9. *Takes note with appreciation* of the agreements reached at the meetings of 16 to 18 October 1998 and 7 to 9 June 1999, hosted respectively by the Governments of Greece and Turkey, aimed at building confidence, improving security and developing cooperation, and calls upon the parties to enhance their efforts to implement those decisions in an effective and comprehensive manner, notably at the prospective meeting in Yalta at the invitation of the Government of Ukraine;

10. *Demands* that both sides observe strictly the Agreement on a Ceasefire and Separation of Forces, signed in Moscow on 14 May 1994,[123] and takes note with appreciation, in this context, of the substantial progress reported towards setting up a joint investigation mechanism for violations of the Agreement, as well as of the greater restraint exercised by the parties along the line of separation of forces;

11. *Condemns* the ongoing activities by armed groups, which endanger the civilian population, impede the work of the humanitarian organizations and seriously delay the normalization of the situation in the Gali region, reiterates its concern regarding the security of the United Nations Observer Mission in Georgia, welcomes the implementation of measures in this

regard, and requests the Secretary-General to keep the security of the Mission under constant review;

12. *Decides* to extend the mandate of the Mission for a new period terminating on 31 January 2000, subject to a review by the Council of the mandate of the Mission in the event of any changes that may be made in the mandate or in the presence of the collective peacekeeping force of the Commonwealth of Independent States;

13. *Requests* the Secretary-General to continue to keep the Council regularly informed and to report three months from the date of the adoption of the present resolution on the situation in Abkhazia, Georgia;

14. *Expresses its intention* to conduct a thorough review of the operation at the end of its current mandate, in the light of steps taken by the parties to achieve a comprehensive settlement;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4029th meeting.

Decisions

On 21 October 1999, the President of the Security Council addressed the following letter to the Secretary-General:[130]

> "I have the honour to inform you that your letter dated 18 October 1999, concerning your intention to appoint Mr. Dieter Boden, of Germany, as your Special Representative for Georgia and Head of the United Nations Observer Mission in Georgia[131] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4065th meeting, on 12 November 1999, the Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

> "Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1999/1087)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[132]

> "The Security Council has considered the report of the Secretary-General of 22 October 1999 concerning the situation in Abkhazia, Georgia.[133]
>
> "The Council warmly welcomes the appointment of Mr. Dieter Boden as resident Special Representative of the Secretary-General, and hopes the parties will see this as an opportune moment to give renewed impetus to the search for a political settlement.
>
> "The Council welcomes the acceleration of bilateral contacts at all levels between the Georgian and Abkhaz sides and calls upon them to continue to expand their contacts.
>
> "The Council notes with grave concern that, notwithstanding positive developments on some issues, no progress has been made on the key issues of the settlement, particularly the core issue of the status of Abkhazia, Georgia. The Council therefore strongly supports the intention of the Special Representative to submit as soon as possible further proposals to both sides on the distribution of constitutional competences between Tbilisi and Sukhumi, as part of a comprehensive settlement, with full respect for the sovereignty and territorial

[130] S/1999/1080.

[131] S/1999/1079.

[132] S/PRST/1999/30.

[133] S/1999/1087.

integrity of Georgia within its internationally recognized borders, working in close cooperation with the Russian Federation, in its capacity as facilitator, the Group of Friends of the Secretary-General, and the Organization for Security and Cooperation in Europe.

"The Council reiterates its demand that the parties to the conflict widen and deepen their commitment to the United Nations-led peace process, in particular by resuming regular meetings of the Coordinating Council and of its working groups, and agrees with the Secretary-General that they must continue to meet regularly, regardless of the constraints of domestic politics. The Council calls upon the parties to agree upon and to take, in the nearest future, the first concrete steps towards the full return to Abkhazia, Georgia, of refugees and internally displaced persons in safe, secure and dignified conditions. The Council reminds the parties that this would enable the Office of the United Nations High Commissioner for Refugees to provide substantial material assistance. The Council reiterates its view on the unacceptability of any action by the Abkhaz leadership in contravention of the principles of the sovereignty and territorial integrity of Georgia.

"The Council notes with satisfaction that the security situation has improved slightly, in particular in the reduction of tension along the line of separation of forces, while noting the persistent precariousness of the security of United Nations personnel. The Council reiterates its condemnation of the hostage-taking of seven United Nations personnel on 13 October 1999, welcomes the release of the hostages, and stresses that the perpetrators of this unacceptable act should be brought to justice. The Council welcomes the fact that the United Nations Observer Mission is keeping its security arrangements under constant review in order to ensure the highest possible level of security for its staff.

"The Council pays tribute to Mr. Liviu Bota for his valuable work while serving as Special Representative of the Secretary-General. The Council welcomes the important contributions that the Mission and the collective peacekeeping force of the Commonwealth of Independent States continue to make in stabilizing the situation in the zone of conflict, notes that the working relationship between the Mission and the collective peacekeeping force has been good at all levels, and stresses the importance of continuing and increasing close cooperation and coordination between them in the performance of their respective mandates."

THE SITUATION BETWEEN ERITREA AND ETHIOPIA

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998.*]

Decision

At its 3973rd meeting, on 29 January 1999, the Security Council decided to invite the representative of Ethiopia to participate, without vote, in the discussion of the item entitled "The situation between Eritrea and Ethiopia".

Resolution 1226 (1999) of 29 January 1999

The Security Council,

Reaffirming its resolution 1177 (1998) of 26 June 1998,

Expressing grave concern over the risk of armed conflict between Ethiopia and Eritrea and the escalating arms build-up along the common border between the two countries,

Noting that armed conflict between Ethiopia and Eritrea would have a devastating effect on the peoples of the two countries and the region as a whole,

Recognizing that the rehabilitation and reconstruction efforts of both the Ethiopian and Eritrean Governments during the last eight years have given hope to the rest of the continent, all of which would be put at risk by armed conflict,

Commending the efforts of concerned countries and regional bodies aimed at facilitating a peaceful solution to the border dispute between Ethiopia and Eritrea,

1. *Expresses its strong support* for the mediation efforts of the Organization of African Unity and for the Framework Agreement as approved on 17 December 1998 by the Summit of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity,[134] and affirms that the Framework Agreement provides the best hope for peace between the two parties;

2. *Endorses* the decision by the Secretary-General to send his Special Envoy for Africa to the region in support of the efforts of the Organization of African Unity;

3. *Stresses* that it is of primary importance that the Framework Agreement be accepted, and calls for cooperation with the Organization of African Unity and full implementation of the Framework Agreement without delay;

4. *Welcomes* the acceptance by Ethiopia of the Framework Agreement;

5. *Welcomes* Eritrea's engagement in the process undertaken by the Organization of African Unity, notes the fact that the Organization of African Unity has responded to Eritrea's request for clarifications of the Framework Agreement, and in this regard strongly urges Eritrea to accept the Framework Agreement as the basis for a peaceful resolution of the border dispute between Ethiopia and Eritrea without delay;

6. *Calls upon* both parties to work for a reduction in tensions by adopting policies leading to the restoration of confidence between the Governments and peoples of Ethiopia and Eritrea, including urgent measures to improve the humanitarian situation and respect for human rights;

7. *Strongly urges* Ethiopia and Eritrea to maintain their commitment to a peaceful resolution of the border dispute, and calls upon them in the strongest terms to exercise maximum restraint and to refrain from taking any military action;

8. *Welcomes* the Secretary-General's continued engagement in support of the peace process undertaken by the Organization of African Unity;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3973rd meeting.

Decision

At its 3975th meeting, on 10 February 1999, the Security Council decided to invite the representatives of Eritrea and Ethiopia to participate, without vote, in the discussion of the item entitled "The situation between Eritrea and Ethiopia".

Resolution 1227 (1999)
of 10 February 1999

The Security Council,

Reaffirming its resolutions 1177 (1998) of 26 June 1998 and 1226 (1999) of 29 January 1999,

Expressing its grave concern regarding the border conflict between Ethiopia and Eritrea and the resumption of hostilities between the parties,

[134] See S/1998/1223, annex.

Recalling the commitment of Ethiopia and Eritrea to a moratorium on the threat of and use of air strikes,

Stressing that the situation between Ethiopia and Eritrea constitutes a threat to peace and security,

1. *Condemns* the recourse to the use of force by Ethiopia and Eritrea;

2. *Demands* an immediate halt to the hostilities, in particular the use of air strikes;

3. *Also demands* that Ethiopia and Eritrea resume diplomatic efforts to find a peaceful resolution to the conflict;

4. *Stresses* that the Framework Agreement as approved on 17 December 1998 by the Summit of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity[134] remains a viable and sound basis for a peaceful resolution of the conflict;

5. *Expresses its full support* for the efforts of the Organization of African Unity, the Secretary-General and his Special Envoy for Africa, and concerned Member States to find a peaceful resolution of the present hostilities;

6. *Calls upon* Ethiopia and Eritrea to ensure the safety of the civilian population and respect for human rights and international humanitarian law;

7. *Strongly urges* all States to end immediately all sales of arms and munitions to Ethiopia and Eritrea;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3975th meeting.

Decisions

At its 3985th meeting, on 27 February 1999, the Security Council considered the item entitled:

"The situation between Eritrea and Ethiopia

> "Identical letters dated 27 February 1999 from the Permanent Representative of Eritrea to the United Nations addressed to the Secretary-General and to the President of the Security Council (S/1999/215)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[135]

> "The Security Council reaffirms its resolutions 1177 (1998) of 26 June 1998, 1226 (1999) of 29 January 1999 and 1227 (1999) of 10 February 1999, which called upon Ethiopia and Eritrea to refrain from armed conflict and to accept and implement the Framework Agreement as approved on 17 December 1998 by the Summit of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity.[134]
>
> "The Council demands an immediate halt to all hostilities and calls upon the parties to refrain from the further use of force.
>
> "The Council welcomes the acceptance by Eritrea, at the level of head of State, of the Framework Agreement and recalls the prior acceptance of the Agreement by Ethiopia. The Framework Agreement remains a viable and sound basis for a peaceful resolution of the conflict.

[135] S/PRST/1999/9.

"The Council reaffirms the sovereignty and territorial integrity of Ethiopia and Eritrea.

"The Council expresses its willingness to consider all appropriate support to implement a peace agreement between the two parties.

"The Council expresses its continuing support for the efforts of the Organization of African Unity, the Secretary-General and his Special Envoy, Mr. Mohammed Sahnoun and concerned Member States to find a peaceful resolution of the border dispute.

"The Council remains actively seized of the matter."

PROTECTION OF CIVILIANS IN ARMED CONFLICT

Decisions

At its 3977th meeting, on 12 February 1999, the Security Council considered the item entitled "Protection of civilians in armed conflict".

At the same meeting, the Council decided to extend an invitation to Mr. Cornelio Sommaruga, President of the International Committee of the Red Cross, under rule 39 of the provisional rules of procedure of the Council.

At the same meeting also, the Council decided to extend an invitation to Ms. Carol Bellamy, Executive Director of the United Nations Children's Fund, under rule 39 of the provisional rules of procedure.

At the same meeting also, the Council decided to extend an invitation to Mr. Olara Otunnu, Special Representative of the Secretary-General for Children and Armed Conflict, under rule 39 of the provisional rules of procedure.

At its 3978th meeting, on 12 February 1999, the Council considered the item entitled "Protection of civilians in armed conflict".

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[136]

"The Security Council has considered the matter of protection of civilians in armed conflict.

"The Council expresses its grave concern at the growing civilian toll of armed conflict and notes with distress that civilians now account for the vast majority of casualties in armed conflict and are increasingly directly targeted by combatants and armed elements. The Council condemns attacks or acts of violence in situations of armed conflict directed against civilians, especially women, children and other vulnerable groups, including also refugees and internally displaced persons, in violation of the relevant rules of international law, including those of international humanitarian and human rights law.

"The Council is especially concerned about attacks on humanitarian workers, in violation of the rules of international law.

"The Council notes that large-scale human suffering is a consequence of and sometimes a contributing factor to instability and further conflict, whether due to displacement, violent assault or other atrocities. Bearing in mind its primary responsibility for the maintenance of international peace and security, the Council affirms the need for the international community to assist and protect civilian populations affected by armed conflict. The Council calls upon all parties concerned to ensure the safety of civilians and guarantee the unimpeded and safe access of United Nations and other humanitarian personnel to those

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[136] S/PRST/1999/6.

in need. In this regard, the Council recalls the statement by its President of 19 June 1997[137] and also recalls its resolution 1208 (1998) of 19 November 1998 on the status and treatment of refugees.

"The Council expresses particular concern at the harmful impact of armed conflict on children and, in this regard, recalls the statement by its President of 29 June 1998.[138]

"The Council calls upon all parties concerned to comply strictly with their obligations under international law, in particular their relevant obligations under the Hague Conventions,[139] the Geneva Conventions of 1949[140] and the Additional Protocols thereto, of 1977,[141] and the United Nations Convention on the Rights of the Child of 1989,[142] as well as with all decisions of the Council.

"The Council strongly condemns the deliberate targeting by combatants of civilians in armed conflict and demands that all concerned put an end to such violations of international humanitarian and human rights law. The Council expresses its willingness to respond, in accordance with the Charter of the United Nations, to situations in which civilians, as such, have been targeted or humanitarian assistance to civilians has been deliberately obstructed.

"The Council also condemns all attempts to incite violence against civilians in situations of armed conflict and calls upon States to fulfil their obligations to take action at the national level. The Council affirms the need to bring to justice, in an appropriate manner, individuals who incite or cause violence against civilians in situations of armed conflict or who otherwise violate international humanitarian and human rights law. In this regard, the Council reaffirms the importance of the work being done by the ad hoc Tribunals for the former Yugoslavia and Rwanda and calls upon all States to cooperate with the Tribunals, in accordance with the relevant Council resolutions. The Council acknowledges the historic significance of the adoption of the Rome Statute of the International Criminal Court.[143]

"The Council notes the deleterious impact of the proliferation of arms, in particular small arms, on the security of civilians, including refugees and other vulnerable populations. In this regard, it recalls its resolution 1209 (1998) of 19 November 1998 which, inter alia, stressed the importance of all Member States, and in particular States involved in manufacturing and marketing of weapons, restricting arms transfers which could provoke or prolong armed conflicts or aggravate existing tensions or armed conflicts in Africa, and which urged international collaboration in combating illegal arms flows in Africa.

"The Council expresses concern over the widening gap between the rules of international humanitarian law and their application. The Council welcomes the commemorative events planned to mark the fiftieth anniversary of the Geneva Conventions and the centenary of the first International Peace Conference, held at The Hague in 1899. These occasions provide an opportunity for a further exploration of ways and means by which the international community may enhance the compliance of parties to an armed conflict with the relevant rules of international law, including those of international humanitarian law.

"The Council welcomes the continuing contribution to the implementation of international humanitarian law of the International Committee of the Red Cross.

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[137] S/PRST/1997/34.

[138] S/PRST/1998/18.

[139] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[140] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[141] Ibid., vol. 1125, Nos. 17512 and 17513.

[142] General Assembly resolution 44/25, annex.

[143] A/CONF.183/9.

"The Council considers that a comprehensive and coordinated approach by Member States and international organizations and agencies is required in order to address the problem of the protection of civilians in situations of armed conflicts. To this end, the Council requests the Secretary-General to submit a report containing concrete recommendations to the Council by September 1999 on ways the Council, acting within its sphere of responsibility, could improve the physical and legal protection of civilians in situations of armed conflict. The report should also identify contributions the Council could make towards effective implementation of existing humanitarian law. The report should examine whether there are any significant gaps in existing legal norms, through the review of recent reports in this regard. The Council encourages the Secretary-General to consult the Inter-Agency Standing Committee in formulating his recommendations.

"The Council affirms its intention to review the recommendations of the Secretary-General in accordance with its responsibilities under the Charter."

At its 3980th meeting, on 22 February 1999, the Council decided to invite the representatives of Australia, Azerbaijan, Bangladesh, Burkina Faso, Costa Rica, the Dominican Republic, Egypt, El Salvador, Germany, Guatemala, Haiti, India, Indonesia, Iraq, Israel, Jamaica, Japan, New Zealand, Norway, Pakistan, the Republic of Korea, Togo, Ukraine, Uruguay and Zambia to participate, without vote, in the discussion of the item entitled "Protection of civilians in armed conflict".

At the same meeting, the Council decided to extend an invitation to the Permanent Observer of Switzerland to the United Nations to participate, without vote, in the discussion of the item.

At the same meeting also, in response to the request dated 19 February 1999 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council,[144] the Council decided that an invitation should be extended to the Permanent Observer of Palestine to participate in the debate in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At its 4046th meeting, on 16 September 1999, the Council decided to invite the representatives of Botswana, Egypt, Finland, India, Iraq, Israel, Japan, Mongolia, Norway, the Philippines, the Republic of Korea, Rwanda, Slovakia, South Africa, the former Yugoslav Republic of Macedonia, Tunisia, and Ukraine to participate, without vote, in the discussion of the item entitled:

"Protection of civilians in armed conflict

"Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (S/1999/957)".

At the same meeting, in response to the request dated 10 September 1999 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council,[145] the Council decided that an invitation should be extended to the Permanent Observer of Palestine to participate in the debate in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting also, the Council decided to extend an invitation to the Permanent Observer of Switzerland to the United Nations to participate, without vote, in the discussion of the item.

At the same meeting also, the Council decided to extend an invitation to Mrs. Sylvie Junod, head of the delegation of the International Committee of the Red Cross to the United Nations, under rule 39 of the provisional rules of procedure.

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[144] Document S/1999/175, incorporated in the record of the 3980th meeting.

[145] Document S/1999/980, incorporated in the record of the 4046th meeting.

Upon resumption of the 4046th meeting, on 17 September 1999, the Council also decided to invite the representative of Pakistan to participate, without vote, in the discussion of the item.

Resolution 1265 (1999)
of 17 September 1999

The Security Council,

Recalling the statement by its President of 12 February 1999,[136]

Having considered the report of the Secretary-General of 8 September 1999, submitted to the Security Council in accordance with the above-mentioned statement,[146]

Taking note of the reports of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa[147] and on the protection for humanitarian assistance to refugees and others in conflict situations,[148] of 13 April and 22 September 1998, respectively, in particular their analysis related to the protection of civilians,

Noting that civilians account for the vast majority of casualties in armed conflicts and are increasingly targeted by combatants and armed elements, gravely concerned by the hardships borne by civilians during armed conflict, in particular as a result of acts of violence directed against them, especially women, children and other vulnerable groups, including refugees and internally displaced persons, and recognizing the consequent impact this will have on durable peace, reconciliation and development,

Bearing in mind its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, and underlining the importance of taking measures aimed at conflict prevention and resolution,

Stressing the need to address the causes of armed conflict in a comprehensive manner in order to enhance the protection of civilians on a long-term basis, including by promoting economic growth, poverty eradication, sustainable development, national reconciliation, good governance, democracy, the rule of law and respect for and protection of human rights,

Expressing its deep concern at the erosion in respect for international humanitarian, human rights and refugee law and principles during armed conflict, in particular by deliberate acts of violence against all those protected under such law, and expressing its concern also at the denial of safe and unimpeded access to people in need,

Underlining the importance of the widest possible dissemination of international humanitarian, human rights and refugee law and of relevant training for, inter alia, civilian police, armed forces, members of the judicial and legal professions, civil society and personnel of international and regional organizations,

Recalling the statement by its President of 8 July 1999,[149] and emphasizing its call for the inclusion, as appropriate, within specific peace agreements and, on a case-by-case basis, within United Nations peacekeeping mandates, of clear terms for the disarmament, demobilization and reintegration of ex-combatants, including the safe and timely disposal of arms and ammunition,

Mindful of the particular vulnerability of refugees and internally displaced persons, and reaffirming the primary responsibility of States to ensure their protection, in particular by maintaining the security and civilian character of camps for refugees and internally displaced persons,

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[146] S/1999/957.
[147] S/1998/318.
[148] S/1998/883.
[149] S/PRST/1999/21.

Underlining the special rights and needs of children in situations of armed conflict, including those of the girl-child,

Recognizing the direct and particular impact of armed conflict on women as referred to in paragraph 18 of the report of the Secretary-General,[146] and in this regard welcoming the ongoing work within the United Nations system on the implementation of a gender perspective in humanitarian assistance and on violence against women,

1. *Welcomes* the report of the Secretary-General of 8 September 1999,[146] and takes note of the comprehensive recommendations contained therein;

2. *Strongly condemns* the deliberate targeting of civilians in situations of armed conflict as well as attacks on objects protected under international law, and calls upon all parties to put an end to such practices;

3. *Emphasizes* the importance of preventing conflicts which could endanger international peace and security, and, in this context, highlights the importance of implementing appropriate preventive measures to resolve conflicts, including the use of United Nations and other dispute-settlement mechanisms and of preventive military and civilian deployments, in accordance with the relevant provisions of the Charter of the United Nations, resolutions of the Security Council and relevant international instruments;

4. *Urges* all parties concerned to comply strictly with their obligations under international humanitarian, human rights and refugee law, in particular those contained in the Hague Conventions of 1899 and 1907[139] and in the Geneva Conventions of 1949[140] and the Additional Protocols thereto, of 1977,[141] as well as with the decisions of the Security Council;

5. *Calls upon* States which have not already done so to consider ratifying the major instruments of international humanitarian, human rights and refugee law, and to take appropriate legislative, judicial and administrative measures to implement those instruments domestically, drawing on technical assistance, as appropriate, from relevant international organizations, including the International Committee of the Red Cross and United Nations bodies;

6. *Emphasizes* the responsibility of States to end impunity and to prosecute those responsible for genocide, crimes against humanity and serious violations of international humanitarian law, affirms the possibility, to this end, of using the International Fact-Finding Commission established by article 90 of Additional Protocol I to the Geneva Conventions, reaffirms the importance of the work being done by the ad hoc Tribunals for the former Yugoslavia and Rwanda, stresses the obligation of all States to cooperate fully with the Tribunals, and acknowledges the historic significance of the adoption of the Rome Statute of the International Criminal Court[143] which is open for signature and ratification by States;

7. *Underlines* the importance of safe and unhindered access of humanitarian personnel to civilians in armed conflict, including refugees and internally displaced persons, and the protection of humanitarian assistance to them, and recalls in this regard the statements by its President of 19 June 1997[137] and 29 September 1998;[150]

8. *Emphasizes* the need for combatants to ensure the safety, security and freedom of movement of United Nations and associated personnel, as well as personnel of international humanitarian organizations, and recalls in this regard the statements by its President of 12 March 1997[151] and 29 September 1998;[150]

9. *Takes note* of the entry into force of the Convention on the Safety of United Nations and Associated Personnel of 1994,[152] recalls the relevant principles contained therein, urges all parties to armed conflicts to respect fully the status of United Nations and associated personnel,

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[150] S/PRST/1998/30.

[151] S/PRST/1997/13.

[152] General Assembly resolution 49/59, annex.

and in this regard condemns attacks and the use of force against United Nations and associated personnel, as well as personnel of international humanitarian organizations, and affirms the need to hold accountable those who commit such acts;

10. *Expresses its willingness* to respond to situations of armed conflict where civilians are being targeted or humanitarian assistance to civilians is being deliberately obstructed, including through the consideration of appropriate measures at the disposal of the Council in accordance with the Charter, and notes, in that regard, the relevant recommendations contained in the report of the Secretary-General;

11. *Also expresses its willingness* to consider how peacekeeping mandates might better address the negative impact of armed conflict on civilians;

12. *Expresses its support* for the inclusion, where appropriate, in peace agreements and mandates of United Nations peacekeeping missions, of specific and adequate measures for the disarmament, demobilization and reintegration of ex-combatants, with special attention given to the demobilization and reintegration of child soldiers, as well as clear and detailed arrangements for the destruction of surplus arms and ammunition, and in this regard recalls the statement by its President of 8 July 1999;[149]

13. *Notes* the importance of including in the mandates of peacemaking, peacekeeping and peace-building operations special protection and assistance provisions for groups requiring particular attention, including women and children;

14. *Requests* the Secretary-General to ensure that United Nations personnel involved in peacemaking, peacekeeping and peace-building activities have appropriate training in international humanitarian, human rights and refugee law, including child and gender-related provisions, negotiation and communication skills, cultural awareness and civilian-military coordination, and urges States and relevant international and regional organizations to ensure that appropriate training is included in their programmes for personnel involved in similar activities;

15. *Underlines* the importance of civilian police as a component of peacekeeping operations, recognizes the role of police in assuring the safety and well-being of civilians, and in this regard acknowledges the need to enhance the capacity of the United Nations for the rapid deployment of qualified and well-trained civilian police;

16. *Reaffirms its readiness*, whenever measures are adopted under Article 41 of the Charter, to give consideration to their impact on the civilian population, bearing in mind the needs of children, in order to consider appropriate humanitarian exemptions;

17. *Notes* that the excessive accumulation and destabilizing effect of small arms and light weapons pose a considerable impediment to the provision of humanitarian assistance and have a potential to exacerbate and prolong conflicts, endanger the lives of civilians and undermine security and the confidence required for a return to peace and stability;

18. *Takes note* of the entry into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction, of 1997[153] and the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, of 1980,[154] recalls the relevant provisions contained therein, and notes the beneficial effect that their implementation will have on the safety of civilians;

19. *Reiterates its grave concern* at the harmful and widespread impact of armed conflict on children, recalls its resolution 1261 (1999) of 25 August 1999, and reaffirms the recommendations contained therein;

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[153] See Conference on Disarmament document CD/1478.

[154] See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

20. *Stresses* the importance of consultation and cooperation between the United Nations, the International Committee of the Red Cross and other relevant organizations, including regional organizations, on follow-up to the report of the Secretary-General, and encourages the Secretary-General to continue consultations on this subject and to take concrete actions aimed at enhancing the capacity of the United Nations to improve the protection of civilians in armed conflict;

21. *Expresses its willingness* to work in cooperation with regional organizations to examine how these bodies might better enhance the protection of civilians in armed conflict;

22. *Decides* to establish immediately an appropriate mechanism to review further the recommendations contained in the report of the Secretary-General and to consider appropriate steps by April 2000 in accordance with its responsibilities under the Charter;

23. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4046th meeting.

EXCHANGE OF LETTERS BETWEEN THE SECRETARY-GENERAL AND THE PRESIDENT OF THE SECURITY COUNCIL CONCERNING THE INDIA-PAKISTAN QUESTION

Decision

On 12 February 1999, the President of the Security Council addressed the following letter to the Secretary-General:[155]

> "I have the honour to inform you that your letter dated 9 February 1999 concerning your intention to appoint Major General Jozsef Bali, of Hungary, as the Chief Military Observer of the United Nations Military Observer Group in India and Pakistan[156] has been brought to the attention of the members of the Security Council. They take note of the intention expressed therein."

THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC

[Resolutions or decisions on this question were also adopted by the Security Council in 1997 and 1998.]

Decisions

At its 3979th meeting, on 18 February 1999, the Security Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled:

"The situation in the Central African Republic

> "Letter dated 9 February 1999 from the Chargé d'affaires a.i. of the Permanent Mission of the Central African Republic to the United Nations addressed to the President of the Security Council (S/1999/132)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[157]

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[155] S/1999/149.

[156] S/1999/148.

[157] S/PRST/1999/7.

"The Security Council, noting the letter dated 9 February 1999 from the President of the Central African Republic to the President of the Council,[158] notes with satisfaction the commitment expressed by the President of the Central African Republic to maintain peace in the Central African Republic through dialogue and consultation. In this context, it strongly reaffirms that the complete implementation of the Bangui Agreements[159] and of the National Reconciliation Pact[160] is essential to peace and national reconciliation in the Central African Republic.

"The Council calls upon the Government of the Central African Republic to continue to take concrete steps to implement political, economic, social and security reforms as referred to in the report of the Secretary-General of 23 February 1998[161] and to fulfil the commitments expressed in the letters dated 8 January 1998[162] and 23 January 1999[163] from the President of the Central African Republic to the Secretary-General. It recalls that the success, the future mandate and the ongoing presence of the United Nations Mission in the Central African Republic are closely linked to the fulfilment of these commitments, in particular the immediate resumption of a constructive political dialogue.

"The Council expresses its concern about the consequences that the current political tensions have for the stability and the functioning of the institutions of the Central African Republic. It reaffirms that the Government, the political leaders and the people of the Central African Republic bear the primary responsibility for national reconciliation, the maintenance of a stable and secure environment and the reconstruction of their country. It emphasizes the importance of continuing efforts in the Central African Republic to settle outstanding contentious issues peacefully and democratically in accordance with the Bangui Agreements. It stresses the need for both the 'mouvance présidentielle' and the opposition parties to cooperate closely and work actively with the aim of achieving the political consensus indispensable to stability in the Central African Republic.

"The Council considers that a smooth preparation of free and fair presidential elections, for which proper steps should be taken as soon as possible, requires a certain level of political consensus and the opening of a genuine dialogue between all the constituent parties of the National Assembly. It also considers that consensual preparation for the presidential elections can only reinforce the legitimacy of the next President of the Republic and also secure a sustainable civil peace. It fully supports the Special Representative of the Secretary-General in his call to the Central African political leaders and authorities to resolve the political impasse so the country can move forward, and welcomes the current efforts undertaken to this end.

"The Council will remain seized of the matter."

At its 3984th meeting, on 26 February 1999, the Council decided to invite the representatives of the Central African Republic, Côte d'Ivoire, Egypt, Japan, Kenya, Senegal and Togo to participate, without vote, in the discussion of the item entitled:

"The situation in the Central African Republic:

"Third report of the Secretary-General on the United Nations Mission in the Central African Republic (S/1998/1203 and Add.1)

"Fourth report of the Secretary-General on the United Nations Mission in the Central African Republic (S/1999/98)".

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[158] S/1999/132, annex.

[159] S/1997/561, appendices III–VI.

[160] S/1998/219, appendix.

[161] S/1998/148 and Add.1.

[162] S/1998/61, annex.

[163] S/1999/98, annex.

Resolution 1230 (1999) of 26 February 1999

The Security Council,

Reaffirming its resolutions 1125 (1997) of 6 August 1997, 1136 (1997) of 6 November 1997, 1152 (1998) of 5 February 1998, 1155 (1998) of 16 March 1998, 1159 (1998) of 27 March 1998, 1182 (1998) of 14 July 1998 and 1201 (1998) of 15 October 1998,

Welcoming the holding of free and fair legislative elections on 22 November and 13 December 1998,

Welcoming also the report of the Secretary-General of 18 December 1998[164] and the addendum thereto, of 14 January 1999,[165] and the report of the Secretary-General of 29 January 1999,[166] and taking note of the recommendations contained therein,

Taking note of the request of 8 December 1998 from the President of the Central African Republic to the Secretary-General,[167] and the letter dated 23 January 1999 from the President of the Central African Republic to the Secretary-General,[163]

Reiterating the importance of the work done by the joint committee of the Government of the Central African Republic and the United Nations Mission in the Central African Republic to address the restructuring of the Central African Armed Forces, and stressing the necessity quickly to adopt the draft law and decrees on national defence and the structure of the defence forces,

Reaffirming the link between socio-economic progress and the consolidation of peace in the Central African Republic, and in that context taking note of the letter dated 23 December 1998 from the President of the World Bank to the Secretary-General,[168]

Recalling the importance of regional stability and the need to consolidate the progress achieved so far, and in particular to assist the people of the Central African Republic to consolidate the process of national reconciliation taking into account the need to maintain a secure and stable environment conducive to economic recovery and to the holding of free and fair presidential elections,

Stressing the importance of cooperation and understanding by the Government of the Central African Republic, the newly elected legislators and the political groupings, so as to ensure the effective functioning of the National Assembly,

Emphasizing the need for the Government of the Central African Republic to set the presidential election dates as soon as possible, in accordance with article 23 of the Constitution of the Central African Republic,

1. *Decides* to extend the mandate of the United Nations Mission in the Central African Republic until 15 November 1999;

2. *Expresses its intention* to commence the reduction of Mission personnel fifteen days after the conclusion of the presidential elections in the Central African Republic, with a view to full termination of the Mission no later than 15 November 1999;

3. *Decides* to review every forty-five days, on the basis of reports of the Secretary-General, the mandate of the Mission in the light of the progress achieved towards implementation of the commitments made by the President of the Central African Republic to the Secretary-General in his letter dated 23 January 1999;[163]

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[164] S/1998/1203.

[165] S/1998/1203/Add.1.

[166] S/1999/98.

[167] See S/1999/116, annex.

[168] S/1998/121, annex.

4. *Welcomes* the intention of the Secretary-General to discuss with the President of the Central African Republic plans for a possible progressive reduction of the military component of the Mission in anticipation of the 15 November 1999 termination date of the Mission, commensurate with the advances in the restructuring of the Central African Armed Forces and taking into account the need to ensure the stability and security of Bangui;

5. *Urges* the international community to lend its support to the restructuring of the security forces of the Central African Republic, including the gendarmerie, through bilateral and multilateral assistance programmes, and reaffirms the role of the Mission in providing advice in the restructuring of the security forces and, in this connection, in coordinating and channelling international support to this end;

6. *Strongly reaffirms* that the complete implementation of the Bangui Agreements[159] and of the National Reconciliation Pact[160] is essential to peace and national reconciliation in the Central African Republic, and urges the Government of the Central African Republic to continue to take concrete steps to implement political, economic, social and security reforms as referred to in the report of the Secretary-General of 23 February 1998[161] and to fulfil the commitments expressed in the letter dated 8 January 1998 from the President of the Central African Republic to the Secretary-General[162] and in the letter dated 23 January 1999 from the President of the Central African Republic to the Secretary-General;[163]

7. *Calls upon* all parties in the Central African Republic, with the assistance of the Special Representative of the Secretary-General, to take the necessary measures to resolve the current political impasse, with a view to enhancing the national reconciliation process;

8. *Calls upon* the Government of the Central African Republic to establish the new electoral commission as soon as possible in order to organize the presidential elections, and to establish and adhere to a timetable for the holding of those elections;

9. *Authorizes* the Mission to play a supportive role in the conduct of the presidential elections, in conformity with the tasks previously performed during the legislative elections of 22 November and 13 December 1998, recognizing the major responsibility that the United Nations Development Programme will have in the coordination of electoral assistance;

10. *Also authorizes* the Mission to supervise the destruction of confiscated weapons and ammunition under its control, as recommended in paragraph 29 of the report of the Secretary-General of 18 December 1998;[164]

11. *Encourages* an increased role for an increased number of troops of the Central African Armed Forces to support the presidential elections process, to include the deployment of troops of the Central African Armed Forces to electoral sites to assist Mission personnel in the provision of security and logistical support, and notes in this exceptional case that those troops of the Central African Armed Forces assisting the Mission in this context would operate during that time under United Nations rules of engagement;

12. *Welcomes* the commitments made by the President of the Central African Republic in his letter to the Secretary-General dated 23 January 1999, and urges the Government of the Central African Republic to fulfil these commitments, in particular:

(*a*) To expedite the legislative process regarding national defence and the structure of defence forces with a view to adopting draft laws and decrees as prepared by the joint committee of the Government of the Central African Republic and the Mission, by 15 April 1999;

(*b*) To take steps to limit the mission of the Special Force for the Defence of the Republican Institutions to the protection of the republican institutions and of high-level authorities, excluding all police and maintenance of law and order tasks;

(*c*) To continue to implement with the support of the Mission the demobilization and reintegration programme funded by the United Nations Development Programme;

(*d*) To establish no later than 1 April 1999 an implementation programme in accordance with the timetable established by the joint committee of the Government of the Central African Republic and the Mission which should specify the key elements of the restructuring programme of the Central African Armed Forces to be implemented, among them the need to create well-balanced geographical and multi-ethnic recruitment, the improvement of working conditions, including the payment of salary and salary arrears, the provision of adequate infrastructure, equipment and support materials, and the redeployment of some of the restructured units outside Bangui;

13. *Urges* the Government of the Central African Republic to meet the requirements of the financial consolidation and economic reform programmes agreed upon with the international financial institutions;

14. *Requests* the Government of the Central African Republic to refrain from any involvement in external conflicts, in conformity with the commitment expressed in the letter dated 23 January 1999 from the President of the Central African Republic to the Secretary-General;

15. *Urges* Member States to support financially and materially the restructuring programme of the Central African Armed Forces so as to facilitate its prompt implementation, and expresses its appreciation to those that have already done so;

16. *Emphasizes* that economic rehabilitation and reconstruction constitute important tasks facing the Government and people of the Central African Republic and that significant international assistance is indispensable for sustainable development in the Central African Republic, stresses the commitment of the international community to a long-term programme of support for the Central African Republic, and further urges the Economic and Social Council, the United Nations Development Programme, the International Monetary Fund, the World Bank and the appropriate regional financial institutions to contribute to the designing of such a programme;

17. *Requests* the Secretary-General to consider, in keeping with the statement by its President of 29 December 1998,[169] what role the United Nations might play in the transition from peacekeeping to post-conflict peace-building in the Central African Republic, and further requests him, in consultation with the Government of the Central African Republic, to submit recommendations in this regard, by 31 May 1999 on a possible United Nations presence in the Central African Republic after the 15 November 1999 termination of the Mission;

18. *Also requests* the Secretary-General to submit by 15 April 1999 and every forty-five days thereafter a report on the implementation of the mandate of the Mission, on developments in the Central African Republic, in particular on the election process, on progress towards the implementation of the commitments expressed in the letters dated 8 January 1998 and 23 January 1999 from the President of the Central African Republic to the Secretary-General and on the implementation of the Bangui Agreements and the National Reconciliation Pact, including on commitments related to ensuring the country's economic recovery, the restructuring of the security forces and the functioning of the Special Force for the Defence of Republican Institutions;

19. *Commends* the efforts of the Special Representative of the Secretary-General and the personnel of the Mission to promote peace and national reconciliation in the Central African Republic;

20. *Recalls* the urgent need for Member States to contribute voluntarily to the trust fund established by the Secretary-General to support the activities of the Mission;

21. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3984th meeting.

[169] S/PRST/1998/38.

Decision

At its 4056th meeting, on 22 October 1999, the Security Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled:

"The situation in the Central African Republic

"Eighth report of the Secretary-General on the United Nations Mission in the Central African Republic (S/1999/1038)".

Resolution 1271 (1999)
of 22 October 1999

The Security Council,

Reaffirming all its relevant resolutions, in particular resolutions 1159 (1998) of 27 March 1998, 1201 (1998) of 15 October 1998 and 1230 (1999) of 26 February 1999,

Noting with satisfaction the successful conclusion of the presidential elections held on 19 September 1999,

Commending the United Nations Mission in the Central African Republic and the Special Representative of the Secretary-General on the support provided to the electoral process,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of the Central African Republic,

Welcoming the report of the Secretary-General of 7 October 1999,[170] and noting with approval the recommendations contained therein,

Recalling the importance of the process of national reconciliation, and urging all the political forces of the Central African Republic to continue their efforts towards cooperation and understanding,

Emphasizing the necessity of proceeding speedily to the restructuring of the Central African Armed Forces,

Reaffirming the importance of regional stability and of the consolidation of the climate of peace in the Central African Republic, which constitute essential elements for the restoration of peace in the region,

Reaffirming also the link between socio-economic progress and the consolidation of the stability of the Central African Republic,

Recalling the relevant principles set out in the Convention on the Safety of United Nations and Associated Personnel, adopted on 9 December 1994,[171]

Noting the desire expressed by the Government of the Central African Republic for an extension of the presence of the Mission beyond 15 November 1999,

1. *Decides* to extend the mandate of the United Nations Mission in the Central African Republic until 15 February 2000 with a view to ensuring a short and gradual transition from United Nations peacekeeping involvement in the Central African Republic to a post-conflict peace-building presence with the aid of the relevant United Nations agencies and programmes and of the International Monetary Fund and the International Bank for Reconstruction and Development;

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[170] S/1999/1038.

[171] General Assembly resolution 49/59.

2. *Welcomes* the recommendation of the Secretary-General in paragraph 58 of his report of 7 October 1999[170] that the reduction of the military and civilian strength of the Mission be conducted in three stages;

3. *Calls firmly once again* upon the Government of the Central African Republic to continue to take tangible measures to implement the political, economic, social and security reforms mentioned in the report of the Secretary-General of 23 February 1998[161] and to honour the commitments set forth, inter alia, in the letter dated 23 January 1999 from the President of the Central African Republic addressed to the Secretary-General,[163] and reaffirms the role of the Special Representative of the Secretary-General for the Central African Republic in assisting the promotion of reforms and national reconciliation;

4. *Strongly encourages* the Government of the Central African Republic to coordinate closely with the Mission in the progressive transfer of the functions of the Mission in the security field to the local security and police forces;

5. *Urges* the Government of the Central African Republic to complete, with the advice and technical support of the Mission, the initial steps of the restructuring programme of the Central African Armed Forces and of the demobilization and reintegration programme of the retired military personnel, appeals to the international community to give its support to those programmes, and welcomes the proposal of the Secretary-General to convene a meeting in New York in the coming months to solicit funds in order to finance those programmes;

6. *Welcomes* the proposal of the Secretary-General to despatch a small multidisciplinary mission to Bangui in order to examine, in accordance with the wishes expressed by the Government of the Central African Republic, the conditions for the maintenance of the United Nations presence beyond 15 February 2000 in accordance with the recommendations made by the Secretary-General and contained in his reports of 28 May 1999[172] and 7 October 1999,[170] and requests the Secretary-General to inform the Council as soon as possible concerning his detailed proposals in this regard;

7. *Reaffirms* the importance of the role of the Mission in supervising the destruction of confiscated weapons and ammunition under its control;

8. *Requests* the Secretary-General to submit by 15 January 2000 a report on the implementation of the mandate of the Mission and, in particular, on the progressive transfer of the functions of the Mission in the security field to the local security and police forces, on the evolution of the situation in the Central African Republic, on the progress achieved in the implementation of the commitments set forth in the letters dated 8 December 1998[167] and 23 January 1999[163] from the President of the Central African Republic addressed to the Secretary-General, and on the implementation of the Bangui Agreements[154] and the National Reconciliation Pact,[160] including the commitments relating to economic recovery, the restructuring of the security forces and the functioning of the Special Force for the Defence of the Republican Institutions;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4056th meeting.

Decision

On 10 December 1999, the President of the Security Council addressed the following letter to the Secretary-General:[173]

"I have the honour to inform you that your letter dated 3 December 1999 concerning your proposal to establish a United Nations Peace-Building Support Office in the Central

[172] S/1999/621.

[173] S/1999/1236.

African Republic[174] has been brought to the attention of the members of the Security Council. They take note with appreciation of the proposal contained in your letter."

THE SITUATION IN TAJIKISTAN AND ALONG THE TAJIK-AFGHAN BORDER

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.]

Decisions

At its 3981st meeting, on 23 February 1999, the Security Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled:

"The situation in Tajikistan and along the Tajik-Afghan border

"Interim report of the Secretary-General on the situation in Tajikistan (S/1999/124)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[175]

"The Security Council has considered the report of the Secretary-General of 8 February 1999 on the situation in Tajikistan, submitted pursuant to paragraph 11 of its resolution 1206 (1998) of 12 November 1998.[176]

"The Council welcomes the regular contacts between the President of the Republic of Tajikistan and the leader of the United Tajik Opposition and the work of the Commission on National Reconciliation aimed at achieving further progress in the peace process. It regrets that progress has remained slow during the last three months and underlines the necessity for the parties to speed up the full and sequential implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[177] especially the protocol on military issues.[178] The Council calls upon the parties to intensify their efforts to create conditions for the holding in 1999 of a constitutional referendum and presidential elections, as well as for the timely holding of parliamentary elections.

"The Council notes with appreciation the work of the Special Representative of the Secretary-General and of all the personnel of the United Nations Mission of Observers in Tajikistan and encourages them to continue assisting the parties in the implementation of the General Agreement. It underlines the importance of the Mission playing a full and active role in the implementation of the General Agreement and requests the Secretary-General to continue to consider means of achieving this, taking into account the security situation.

"The Council welcomes the continued contribution made by the collective peacekeeping forces of the Commonwealth of Independent States in assisting the parties in the implementation of the General Agreement in coordination with all concerned.

"The Council welcomes also the contribution of the Contact Group of Guarantor States and International Organizations to the peace process and, in this context, considers that the holding of a meeting of the Contact Group at the level of Ministers for Foreign Affairs, in support of the peace process, could indeed be useful, if properly prepared.

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[174] S/1999/1235.

[175] S/PRST/1999/8.

[176] S/1999/124.

[177] S/1997/510, annex I.

[178] S/1997/209, annex II.

"The Council welcomes further the activities of various international organizations and humanitarian workers related to the implementation of the General Agreement and addressing the humanitarian, rehabilitation and development needs of Tajikistan. It calls upon Member States and others concerned to respond promptly and generously to the consolidated appeal for Tajikistan for 1999 launched in Geneva in December 1998.

"The Council reiterates its concern that the security situation in some parts of Tajikistan remains precarious. It reiterates the importance of a full investigation into the murder in July 1998 of four members of the Mission and notes with appreciation the efforts of the Government of Tajikistan in this regard. The Council calls upon the United Tajik Opposition to contribute more effectively to the investigation in order to bring those responsible to justice. It acknowledges the efforts of the Government of Tajikistan to enhance the protection of international personnel and calls upon the parties to cooperate further in ensuring the security and freedom of movement of the personnel of the United Nations, the collective peacekeeping forces and other international personnel. The Council reminds both parties that the ability of the international community to mobilize and to continue assistance for Tajikistan is linked to the security of the personnel of the Mission and international organizations, and of humanitarian workers."

On 9 March 1999, the President of the Security Council addressed the following letter to the Secretary-General:[179]

"I have the honour to inform you that your letter dated 5 March 1999 concerning your intention to appoint Brigadier General John Hvidegaard, of Denmark, as the Chief Military Observer of the United Nations Mission of Observers in Tajikistan[180] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4004th meeting, on 15 May 1999, the Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled:

"The situation in Tajikistan and along the Tajik-Afghan border

"Report of the Secretary-General on the situation in Tajikistan (S/1999/514)".

Resolution 1240 (1999) of 15 May 1999

The Security Council,

Recalling all its relevant resolutions and the statements by its President,

Having considered the report of the Secretary-General of 6 May 1999 on the situation in Tajikistan,[181]

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders,

Welcoming progress in the peace process in Tajikistan and the effective maintenance of the ceasefire between the Government of Tajikistan and the United Tajik Opposition, while underlining the fact that more needs to be done to translate agreements and decisions into concrete actions and to deal with the many pending issues,

Welcoming also the renewed efforts of the President of the Republic of Tajikistan and the leadership of the Commission on National Reconciliation to advance and to expedite the

[179] S/1999/255.

[180] S/1999/254.

[181] S/1999/514.

implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[177] which have helped to achieve movement on both military and political issues,

Welcoming further the maintenance of close contact by the United Nations Mission of Observers in Tajikistan with the parties, as well as its cooperative liaison with the collective peacekeeping forces of the Commonwealth of Independent States, the Russian border forces and the mission in Tajikistan of the Organization for Security and Cooperation in Europe,

Noting with appreciation the continued contribution of the Contact Group of Guarantor States and International Organizations to the peace process, in particular through periodic joint plenary meetings with the Commission on National Reconciliation to review progress in the implementation of the General Agreement,

Welcoming the fact that the general situation in Tajikistan has remained relatively calm with better security than in earlier periods, while noting that the situation in some parts of the country has remained tense,

Recognizing that comprehensive international support remains crucial for achieving a positive outcome of the peace process in Tajikistan,

1. *Welcomes* the report of the Secretary-General of 6 May 1999;[181]

2. *Calls upon* the parties to speed up the full and sequential implementation, in a balanced manner, of the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[177] especially the protocol on military issues,[178] and to create conditions for the holding in 1999 of a constitutional referendum, as well as for the timely holding of presidential and parliamentary elections, and encourages the Commission on National Reconciliation to intensify its efforts aimed at the institution of a broad dialogue among the various political forces in the country in the interests of the restoration and strengthening of civil accord in Tajikistan;

3. *Notes with appreciation* the work of the Special Representative of the Secretary-General and of all the personnel of the United Nations Mission of Observers in Tajikistan, encourages them to continue assisting the parties in the implementation of the General Agreement, notes that the reopening of field offices should strengthen the Mission in this regard, underlines the need for the Mission to have the necessary personnel and financial support, and requests the Secretary-General to continue to consider means of ensuring a full and active role for the Mission in the implementation of the General Agreement;

4. *Encourages* the Organization for Security and Cooperation in Europe to continue its close cooperation with the United Nations on matters relating to constitutional reform, democratization and elections, as requested under the General Agreement;

5. *Supports* the active political work of the Contact Group of Guarantor States and International Organizations in promoting the implementation of the General Agreement, and considers that a meeting of the Contact Group at the level of Ministers for Foreign Affairs could lend further impetus to the peace process;

6. *Welcomes* the continued contribution made by the collective peacekeeping forces of the Commonwealth of Independent States in assisting the parties in the implementation of the General Agreement, in coordination with all concerned;

7. *Calls upon* the parties to cooperate further in ensuring the security and freedom of movement of the personnel of the United Nations, the collective peacekeeping forces and other international personnel, and reminds the parties that the ability of the international community to mobilize and to continue assistance for Tajikistan is linked to the security of those personnel;

8. *Calls upon* Member States and others concerned to make voluntary contributions to launch projects for demobilization and to provide support for the elections, and to respond promptly and generously to the consolidated inter-agency appeal for Tajikistan for 1999;

9. *Decides* to extend the mandate of the Mission for a period of six months until 15 November 1999;

10. *Requests* the Secretary-General to keep the Council informed of all significant developments, and also requests him to report within three months of the adoption of the present resolution on its implementation;

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4004th meeting.

Decisions

At its 4034th meeting, on 19 August 1999, the Security Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled

"The situation in Tajikistan and along the Tajik-Afghan border

"Interim report of the Secretary-General on the situation in Tajikistan (S/1999/872)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[182]

"The Security Council has considered the report of the Secretary-General of 12 August 1999 on the situation in Tajikistan, submitted pursuant to paragraph 10 of its resolution 1240 (1999) of 15 May 1999.[183]

"The Council welcomes significant progress in the implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[177] achieved to a great extent owing to the renewed efforts of the President of the Republic of Tajikistan and the leadership of the Commission on National Reconciliation. It particularly welcomes the official declaration by the United Tajik Opposition of the disbandment of its armed units and the decision by the Supreme Court of Tajikistan lifting the bans and restrictions on activities by the political parties and movements of the United Tajik Opposition as important steps contributing to the democratic development of Tajik society. The Council reiterates its encouragement to the Commission on National Reconciliation to intensify its efforts aimed at the institution of a broad dialogue among the various political forces in the country in the interests of the restoration and strengthening of civil accord in Tajikistan.

"The Council encourages the parties to undertake further concerted measures to ensure the full and sequential implementation, in a balanced manner, of the General Agreement, especially all the provisions of the protocol on military issues,[178] including those related to the reintegration of former opposition fighters. It also encourages them to continue their active work in creating conditions for the timely holding of a constitutional referendum and presidential and parliamentary elections, underlines the importance of the involvement of the United Nations in this process, in continued close cooperation with the Organization for Security and Cooperation in Europe, and welcomes the intention of the Secretary-General to approach Member States with concrete proposals on voluntary contributions to support such involvement.

"The Council notes with appreciation the work of the outgoing Special Representative of the Secretary-General, Mr. Ján Kubiš, and of all the personnel of the United Nations Mission of Observers in Tajikistan, and encourages the Mission to continue assisting the parties in the implementation of the General Agreement. It underlines the need for the Mission to operate throughout Tajikistan and to have the necessary personnel and financial support, and requests the Secretary-General to continue to consider means of ensuring a full and active role for the Mission in the implementation of the General Agreement up to the

[182] S/PRST/1999/25.

[183] S/1999/872.

strength authorized by its resolution 1138 (1997) of 14 November 1997, while continuing to observe stringent security measures. The Council urges the Secretary-General to appoint a successor to Mr. Kubiš as the Special Representative as soon as possible.

"The Council supports the continued active involvement of the Contact Group of Guarantor States and International Organizations in the peace process.

"The Council welcomes the continued contribution made by the collective peacekeeping forces of the Commonwealth of Independent States in assisting the parties in the implementation of the General Agreement in coordination with all concerned.

"The Council expresses its concern at the precarious humanitarian situation in Tajikistan. It welcomes the activities of various international organizations and humanitarian workers related to the implementation of the General Agreement and addressing the humanitarian, rehabilitation and development needs of Tajikistan. The Council calls upon Member States and others concerned to respond promptly and generously to the mid-year review of the consolidated inter-agency appeal for Tajikistan for 1999."

On 17 September 1999, the President of the Security Council addressed the following letter to the Secretary-General:[184]

"I have the honour to inform you that your letter dated 13 September 1999 concerning your intention to appoint Mr. Ivo Petrov, of Bulgaria, as your Special Representative for Tajikistan[185] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4064th meeting, on 12 November 1999, the Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled:

"The situation in Tajikistan and along the Tajik-Afghan border

"Report of the Secretary-General on the situation in Tajikistan (S/1999/1127)".

Resolution 1274 (1999)
of 12 November 1999

The Security Council,

Recalling all its relevant resolutions and the statements by its President,

Having considered the report of the Secretary-General of 4 November 1999 on the situation in Tajikistan,[186]

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders,

Welcoming the significant progress made in the peace process in Tajikistan, particularly the holding of the constitutional referendum which followed the official declaration by the United Tajik Opposition of the disbandment of its armed units and the decision by the Supreme Court of Tajikistan lifting the bans and restrictions on activities by the political parties and movements of the United Tajik Opposition, and noting with satisfaction that these developments have set Tajikistan on the course of national reconciliation and democratization,

Welcoming also the renewed efforts of the President of the Republic of Tajikistan and the leadership of the Commission on National Reconciliation to advance and to expedite the implementation of the General Agreement on the Establishment of Peace and National Accord in

[184] S/1999/986.

[185] S/1999/985.

[186] S/1999/1127.

Tajikistan,[177] which have helped to contain emerging controversies and to reach the important milestones envisaged in the General Agreement,

Acknowledging the holding of presidential elections on 6 November 1999 as a necessary and important step towards durable peace in Tajikistan,

Welcoming the maintenance of close contact by the United Nations Mission of Observers in Tajikistan with the parties, as well as its cooperative liaison with the collective peacekeeping forces of the Commonwealth of Independent States, the Russian border forces and the mission in Tajikistan of the Organization for Security and Cooperation in Europe,

Noting with appreciation the continued contribution of the Contact Group of Guarantor States and International Organizations to the peace process, in particular through periodic joint plenary meetings with the Commission on National Reconciliation to review progress and to help to overcome difficulties in the implementation of the General Agreement,

Welcoming the fact that the general situation in Tajikistan has remained relatively calm, with better security than in earlier periods, while noting that the situation in some parts of the country has remained tense,

Recognizing that comprehensive international support remains crucial for achieving a positive outcome of the peace process in Tajikistan,

1. *Welcomes* the report of the Secretary-General of 4 November 1999;[186]

2. *Calls upon* the parties to undertake further concerted measures to implement fully the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[177] especially all the provisions of the protocol on military issues,[178] and to create conditions for the timely holding of parliamentary elections, underlines the necessity for the full resumption of the work of the Commission on National Reconciliation, and reiterates its encouragement to the Commission to intensify its efforts to broaden a dialogue among the various political forces in the country in the interests of the restoration and strengthening of civil accord in Tajikistan;

3. *Welcomes* the signing on 5 November 1999 by the President of Tajikistan and the Chairman of the Commission on National Reconciliation of the protocol on political guarantees during the preparation for and holding of the elections to the Majlis-i Oli (the Parliament) of the Republic of Tajikistan,[187] and, bearing in mind concerns expressed by the Secretary-General in his report, regards the strict implementation of the protocol as essential for the successful holding of free, fair and democratic parliamentary elections under international monitoring as foreseen in the General Agreement;

4. *Notes with appreciation* the work of the new Special Representative of the Secretary-General and of all the personnel of the United Nations Mission of Observers in Tajikistan, encourages them to continue assisting the parties in the implementation of the General Agreement, reiterates the need for the Mission to operate throughout Tajikistan and to have the necessary personnel and financial support, and requests the Secretary-General to continue to consider means of ensuring a full and active role for the Mission in the implementation of the General Agreement;

5. *Reiterates* the importance of the involvement of the United Nations, in continued close cooperation with the Organization for Security and Cooperation in Europe, in the preparations for and monitoring of the parliamentary elections in Tajikistan, which will be the last major event of the transitional period envisaged in the General Agreement;

6. *Supports* the continued active involvement of the Contact Group of Guarantor States and International Organizations in the peace process;

[187] S/1999/1159, annex.

7. *Welcomes* the continued contribution made by the collective peacekeeping forces of the Commonwealth of Independent States in assisting the parties in the implementation of the General Agreement, in coordination with all concerned;

8. *Calls upon* the parties to cooperate further in ensuring the security and freedom of movement of the personnel of the United Nations, the collective peacekeeping forces and other international personnel, and reminds the parties that the ability of the international community to mobilize and to continue assistance for Tajikistan is linked to the security of those personnel;

9. *Expresses its deep concern* at the precarious humanitarian situation in Tajikistan, and welcomes the assistance provided by Member States, international organizations and humanitarian workers towards the implementation of the General Agreement and in addressing the humanitarian, rehabilitation and development needs of Tajikistan;

10. *Calls upon* Member States and others concerned to make voluntary contributions to launch projects for demobilization and reintegration and to provide support for the elections, and to continue to respond promptly and generously to the consolidated inter-agency appeal for Tajikistan for 1999, and welcomes the preparation of a new appeal for 2000 as a strategic document that will guide a gradual transition to a more development-oriented focus;

11. *Decides* to extend the mandate of the Mission for a period of six months until 15 May 2000;

12. *Requests* the Secretary-General to keep the Council informed of all significant developments, also requests him to submit after the parliamentary elections and within four months of the adoption of the present resolution an interim report on its implementation, and supports his intention to outline in that report the future political role for the United Nations in assisting Tajikistan to continue on the path of peace and national reconciliation and in contributing to the democratic development of Tajik society after the mandate of the Mission is concluded;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4064th meeting.

THE SITUATION IN GUINEA-BISSAU

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998.*]

Decisions

On 3 March 1999, the President of the Security Council addressed the following letter to the Secretary-General:[188]

> "I have the honour to inform you that your letter dated 26 February 1999 concerning your proposal to establish a United Nations Peace-building Support Office in Guinea-Bissau[189] has been brought to the attention of the members of the Security Council. They welcome the proposal contained in your letter."

At its 3991st meeting, on 6 April 1999, the Council decided to invite the representatives of Guinea-Bissau and Togo to participate, without vote, in the discussion of the item entitled:

"The situation in Guinea-Bissau

> "Report of the Secretary-General pursuant to Security Council resolution 1216 (1998) relative to the situation in Guinea-Bissau (S/1999/294)".

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[188] S/1999/233.

[189] S/1999/232.

Resolution 1233 (1999) of 6 April 1999

The Security Council,

Reaffirming its resolution 1216 (1998) of 21 December 1998 and the statements by its President of 6 November ,[190] 30 November[191] and 29 December 1998,[192]

Gravely concerned at the security and humanitarian situation in Guinea-Bissau,

Expressing its firm commitment to preserving the unity, sovereignty, political independence and territorial integrity of Guinea-Bissau,

Welcoming the report of the Secretary-General of 17 March 1999[193] and the observations contained therein,

Noting with appreciation the formal undertaking by the President of Guinea-Bissau and the leader of the Self-Proclaimed Military Junta on 17 February 1999 never again to resort to arms,[194]

Welcoming the establishment and swearing-in on 20 February 1999 of the new Government of National Unity in Guinea-Bissau which constitutes a significant step forward in the peace process,

Noting with concern that serious obstacles continue to hamper the effective functioning of the new Government, including, in particular, the failure of civil servants and other professional cadres seeking refuge in other countries to return,

Welcoming the deployment of troops constituting the Interposition Force of the Monitoring Group of the Economic Community of West African States by States in the region to implement their peacekeeping mandate and the withdrawal of all foreign forces from Guinea-Bissau pursuant to the Abuja Agreement of 1 November 1998 ,[195]

Reiterating the need to conduct general and presidential elections pursuant to the Abuja Agreement and in accordance with national constitutional requirements as soon as possible, and noting the expression by the parties of their firm interest in having elections held as soon as possible,

1. *Reiterates* that the primary responsibility for achieving lasting peace in Guinea-Bissau rests with the parties, and strongly calls upon them to implement fully all the provisions of the Abuja Agreement[195] and subsequent undertakings;

2. *Commends* the parties for the steps taken so far in the implementation of the Abuja Agreement, in particular the establishment of the new Government of National Unity, and strongly urges them to adopt and implement all measures necessary to ensure the smooth functioning of the new Government and all other institutions, including, in particular, confidence-building measures and measures to encourage the early return of refugees and internally displaced persons;

3. *Commends also* the Community of Portuguese-speaking Countries, States members of the Economic Community of West African States and leaders in and outside the region, in particular the President of the Republic of Togo in his capacity as Chairman of the Economic Community of West African States, for the key role they are playing to bring about national reconciliation and to consolidate peace and security throughout Guinea-Bissau;

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[190] S/PRST/1998/31.
[191] S/PRST/1998/35.
[192] S/PRST/1998/38.
[193] S/1999/294.
[194] See S/1999/173, annex I.
[195] S/1998/1028, annex.

4. *Expresses its appreciation* to those States which have already provided assistance for the deployment in Guinea-Bissau of the Monitoring Group of the Economic Community of West African States in Guinea-Bissau;

5. *Reiterates its urgent appeal* to all States and regional organizations to make financial contributions to the Monitoring Group, including through the United Nations trust fund established to support peacekeeping in Guinea-Bissau, to provide technical and logistical support to assist the Monitoring Group to carry out its peacekeeping mandate and to help to facilitate the full implementation of all the provisions of the Abuja Agreement, and to that end invites the Secretary-General to consider convening a meeting in New York with the participation of the Economic Community of West African States in order to assess the needs of the Monitoring Group and to examine ways in which contributions could be mobilized and channelled;

6. *Calls upon* the parties concerned promptly to agree on a date for the holding of elections as soon as possible, which are all-inclusive, free and fair, and invites the United Nations and others to consider, as appropriate, providing any needed electoral assistance;

7. *Supports* the decision of the Secretary-General to establish the post-conflict United Nations Peace building Support Office in Guinea-Bissau under the leadership of a representative of the Secretary-General,[88] which will provide the political framework and leadership for harmonizing and integrating the activities of the United Nations system in Guinea-Bissau during the transitional period leading up to general and presidential elections and will facilitate, in close cooperation with the parties concerned, the Economic Community of West African States, the Monitoring Group, as well as other national and international partners, the implementation of the Abuja Agreement;

8. *Encourages* all agencies, programmes, offices and funds of the United Nations system, including the Bretton Woods institutions, as well as other international partners, to lend their support to the Support Office and to the Representative of the Secretary-General in order to establish, together with the Government of Guinea-Bissau, a comprehensive, concerted and coordinated approach to peace-building in Guinea-Bissau;

9. *Reiterates* the need for the simultaneous disarmament and encampment of ex-belligerent troops, welcomes the progress made by the Monitoring Group in that regard, and strongly urges the parties to continue to cooperate through the Special Commission established for that purpose, to conclude expeditiously those tasks and to create conditions for the reunification of the national armed and security forces;

10. *Emphasizes* the need for urgent demining of affected areas to pave the way for the return of refugees and displaced persons and for the resumption of agricultural activities, encourages the Monitoring Group to continue its demining activities, and calls upon States to provide the necessary assistance for demining;

11. *Calls upon* all concerned to respect strictly the relevant provisions of international law, including international humanitarian law and human rights law, to ensure safe and unimpeded access by humanitarian organizations to those in need and to ensure the protection and freedom of movement of United Nations and international humanitarian personnel;

12. *Reiterates its appeal* to States and organizations concerned to provide urgent humanitarian assistance to internally displaced persons and refugees;

13. *Welcomes* the planned round-table conference of donors on Guinea-Bissau to be held in Geneva on 4 and 5 May 1999, under the sponsorship of the United Nations Development Programme, to mobilize assistance for, inter alia, humanitarian needs, consolidation of peace and the socio-economic rehabilitation of Guinea-Bissau;

14. *Requests* the Secretary-General to keep the Security Council regularly informed and to submit a report to it by 30 June 1999 and every ninety days thereafter on developments in Guinea-Bissau, the activities of the Support Office and the implementation of the Abuja Agreement, including the implementation by the Monitoring Group of its mandate;

15. *Decides* to remain seized of the matter.

Adopted unanimously at the 3991st meeting.

Decisions

On 30 April 1999, the President of the Security Council addressed the following letter to the Secretary-General:[196]

> "I have the honour to inform you that your letter dated 26 April 1999 concerning your decision to appoint Mr. Samuel Nana-Sinkam, of Cameroon, as your Representative in Guinea-Bissau[197] has been brought to the attention of the members of the Security Council, who have taken note of your decision."

On 30 June 1999, the President of the Security Council addressed the following letter to the Secretary-General:[198]

> "I have the honour to inform you that your letter dated 28 June 1999 concerning the revised mandate of the United Nations Peace-building Support Office in Guinea-Bissau[199] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter."

On 26 October 1999, the President of the Security Council addressed the following letter to the Secretary-General:[200]

> "I have the honour to inform you that your letter dated 13 October 1999 concerning the request of the transitional Government of Guinea-Bissau for international military observers to monitor the situation along the borders with Guinea and Senegal[201] has been brought to the attention of the members of the Security Council. They take note of the interim proposals contained in your letter."

On 14 December 1999, the President of the Security Council addressed the following letter to the Secretary-General:[202]

> "I have the honour to inform you that your letter dated 9 December 1999 concerning your proposal that the mandate of the United Nations Peace-building Support Office in Guinea-Bissau be extended for three months until 31 March 2000[203] has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter."

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[196] S/1999/495.
[197] S/1999/494.
[198] S/1999/738.
[199] S/1999/737.
[200] S/1999/1092.
[201] S/1999/1091.
[202] S/1999/1253.
[203] S/1999/1252.

THE SITUATION CONCERNING THE DEMOCRATIC REPUBLIC OF THE CONGO

[Resolutions or decisions on this question were also adopted by the Security Council in 1997 and 1998.]

Decisions

At its 3987th meeting, on 19 March 1999, the Security Council decided to invite the representatives of Burkina Faso, Burundi, the Democratic Republic of the Congo, Egypt, Germany, Japan, Kenya, the Libyan Arab Jamahiriya, Rwanda, South Africa, the Sudan, Uganda, the United Republic of Tanzania, Zambia and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Letter dated 4 March 1999 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council (S/1999/278)".

Upon the resumption of the meeting, the Council decided to invite the representative of Jamaica to participate, without vote, in the discussion of the item.

On 5 April 1999, the President of the Security Council addressed the following letter to the Secretary-General:[204]

> "I have the honour to inform you that your letter dated 1 April 1999 concerning your decision to appoint Mr. Moustapha Niasse, of Senegal, as your Special Envoy for the peace process in the Democratic Republic of the Congo[205] has been brought to the attention of the members of the Security Council. They agree with the decision contained in your letter and take note of the information contained therein."

At its 3993rd meeting, on 9 April 1999, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

Resolution 1234 (1999) of 9 April 1999

The Security Council,

Recalling the statements by its President of 31 August[206] and of 11 December 1998,[207]

Expressing its concern at the further deterioration of the situation in the Democratic Republic of the Congo and the continuation of hostilities,

Expressing its firm commitment to preserving the national sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all other States in the region,

Recalling that the Assembly of Heads of State and Government of the Organization of African Unity, during its first ordinary session held in Cairo from 17 to 21 July 1964, adopted in its resolution AHG 16(1) the principle of the inviolability of national frontiers of African States, as stated in paragraph 2 of the communiqué issued on 17 August 1998 by the Central Organ of its Mechanism for Conflict Prevention, Management and Resolution,[208]

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[204] S/1999/380.

[205] S/1999/379.

[206] S/PRST/1998/26.

[207] S/PRST/1998/36.

[208] S/1998/774, annex.

Concerned at reports of measures taken by forces opposing the Government in the eastern part of the Democratic Republic of the Congo in violation of the national sovereignty and territorial integrity of the country,

Expressing its concern at all violations of human rights and international humanitarian law in the territory of the Democratic Republic of the Congo, including acts of and incitement to ethnic hatred and violence by all parties to the conflict,

Deeply concerned at the illicit flow of arms and military materiel in the Great Lakes region,

Recalling the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations,

Welcoming the appointment by the Secretary-General of his Special Envoy for the peace process in the Democratic Republic of the Congo,

Stressing that the present conflict in the Democratic Republic of the Congo constitutes a threat to peace, security and stability in the region,

1. *Reaffirms* the obligation of all States to respect the territorial integrity, political independence and national sovereignty of the Democratic Republic of the Congo and other States in the region, including the obligation to refrain from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations, and further reaffirms the need for all States to refrain from any interference in each other's internal affairs, in accordance with the Charter of the United Nations;

2. *Deplores* the continuing fighting and the presence of forces of foreign States in the Democratic Republic of the Congo in a manner inconsistent with the principles of the Charter, and calls upon those States to bring to an end the presence of those uninvited forces and to take immediate steps to that end;

3. *Demands* an immediate halt to the hostilities;

4. *Calls* for the immediate signing of a ceasefire agreement allowing the orderly withdrawal of all foreign forces, the re-establishment of the authority of the Government of the Democratic Republic of the Congo throughout its territory, and the disarmament of non-governmental armed groups in the Democratic Republic of the Congo, and stresses, in the context of a lasting peaceful settlement, the need for the engagement of all Congolese in an all-inclusive process of political dialogue with a view to achieving national reconciliation and to the holding on an early date of democratic, free and fair elections, and for the provision of arrangements for security along the relevant international borders of the Democratic Republic of the Congo;

5. *Welcomes* the intention of the Government of the Democratic Republic of the Congo to hold an all-inclusive national debate as a precursor to elections, and encourages further progress in this respect;

6. *Calls upon* all parties to the conflict in the Democratic Republic of the Congo to protect human rights and to respect international humanitarian law, in particular, as applicable to them, the Geneva Conventions of 1949[209] and the Additional Protocols thereto, of 1977,[210] and the Convention on the Prevention and Punishment of the Crime of Genocide of 1948;[211]

7. *Condemns* all massacres carried out on the territory of the Democratic Republic of the Congo, and calls for an international investigation into all such events, including those in the province of South Kivu and other atrocities as referred to in the report submitted by the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo[212] in

[209] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[210] Ibid., vol. 1125, Nos. 17512 and 17513.

[211] General Assembly resolution 260 A (III).

[212] E/CN.4/1999/31.

accordance with Commission on Human Rights resolution 1998/61 of 21 April 1988,[213] with a view to bringing to justice those responsible;

8. *Condemns* the continuing activity of, and support to, all armed groups, including the ex-Rwandese Armed Forces, Interahamwe, and others in the Democratic Republic of the Congo;

9. *Calls* for safe and unhindered access for humanitarian assistance to those in need in the Democratic Republic of the Congo, and urges all parties to the conflict to guarantee the safety and security of United Nations and humanitarian personnel;

10. *Welcomes* the commitment by the parties to the conflict in the Democratic Republic of the Congo to stop fighting in order to allow an immunization campaign, and urges all parties to the conflict to take concrete action in order to provide greater protection to children exposed to armed conflict in the Democratic Republic of the Congo;

11. *Expresses its support* for the regional mediation process by the Organization of African Unity and the Southern African Development Community to find a peaceful settlement to the conflict in the Democratic Republic of the Congo, and calls upon the international community to continue to support those efforts;

12. *Urges* all parties to the conflict to continue to work constructively through the regional mediation process towards the signing of a ceasefire agreement and settlement of the conflict in the Democratic Republic of the Congo, and calls upon all States in the region to create the conditions necessary for the speedy and peaceful resolution of the crisis and to desist from any act that may further exacerbate the situation;

13. *Expresses its support* for the Special Envoy of the Secretary-General for the peace process in the Democratic Republic of the Congo, calls upon all parties to the conflict to cooperate fully with him in his mission in support of regional mediation efforts and national reconciliation, as set out in his mandate,[214] and urges Member States and organizations to respond readily to requests from the Special Envoy for assistance;

14. *Reaffirms* the importance of holding, at the appropriate time, an international conference on peace, security and stability in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity, with the participation of all the Governments of the region and all others concerned;

15. *Reaffirms its readiness* to consider the active involvement of the United Nations, in coordination with the Organization of African Unity, including through concrete sustainable and effective measures, to assist in the implementation of an effective ceasefire agreement and in an agreed process for a political settlement of the conflict;

16. *Requests* the Secretary-General of the United Nations to work closely with the Secretary-General of the Organization of African Unity in promoting a peaceful resolution of the conflict, to make recommendations on the possible role of the United Nations to this end, and to keep the Council informed of developments;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3993rd meeting.

Decisions

At its 4015th meeting, on 24 June 1999, the Security Council considered the item entitled "The situation concerning the Democratic Republic of the Congo".

[213] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.
[214] See S/1999/379.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[215]

"The Security Council recalls the statements by its President of 31 August[206] and 11 December 1998.[207] It reaffirms its resolution 1234 (1999) of 9 April 1999 on the situation in the Democratic Republic of the Congo and calls upon all parties to comply with this resolution. It expresses its continued concern at the continuing conflict in the Democratic Republic of the Congo.

"The Council reaffirms its commitment to preserving the national unity, sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all other States in the region. It further reaffirms its support for the regional mediation process facilitated by the President of the Republic of Zambia on behalf of the Southern African Development Community in cooperation with the Organization of African Unity and with support from the United Nations to find a peaceful settlement to the conflict in the Democratic Republic of the Congo.

"The Council takes note of the constructive efforts being made to promote a peaceful settlement of the conflict in the context of the above-mentioned regional mediation process, including the meeting and the agreement signed at Sirte, Libyan Arab Jamahiriya, on 18 April 1999. It calls upon all parties to demonstrate commitment to the peace process and to participate with a constructive and flexible spirit in the forthcoming summit in Lusaka scheduled for 26 June 1999. In this context, the Council calls upon the parties immediately to sign a ceasefire agreement which includes the appropriate modalities and mechanisms for its implementation.

"The Council reaffirms its readiness to consider the active involvement of the United Nations, in coordination with the Organization of African Unity, including through concrete sustainable and effective measures, to assist in the implementation of an effective ceasefire agreement and in an agreed process for political settlement of the conflict.

"The Council emphasizes the need for a peaceful settlement of the conflict in the Democratic Republic of the Congo in order to permit the economic reconstruction of the country, so as to enhance development and foster national reconciliation.

"The Council stresses the need for a continuing process of genuine national reconciliation and democratization in all States of the Great Lakes region. It reaffirms the importance of holding, at the appropriate time, an international conference on peace, security and stability in the Great Lakes region and as in previous years and encourages the international community to help to facilitate such a conference.

"The Council expresses its appreciation and full support for the continuing efforts of the Secretary-General and his Special Envoy for the peace process in the Democratic Republic of the Congo.

"The Council will remain actively seized of the matter."

At its 4032nd meeting, on 6 August 1999, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Report of the Secretary-General on the United Nations Preliminary Deployment in the Democratic Republic of the Congo (S/1999/790)".

[215] S/PRST/1999/17.

Resolution 1258 (1999)
of 6 August 1999

The Security Council,

Reaffirming its resolution 1234 (1999) of 9 April 1999, and recalling the statements by its President of 31 August 1998,[206] 11 December 1998,[207] and 24 June 1999,[215]

Bearing in mind the purposes and principles of the Charter of the United Nations, and the primary responsibility of the Security Council for the maintenance of international peace and security,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all States in the region,

Determined to resolve with all parties concerned the grave humanitarian situation in the Democratic Republic of the Congo in particular, and in the region as a whole, and to provide for the safe and free return of all refugees and displaced persons to their homes,

Recognizing that the current situation in the Democratic Republic of the Congo demands an urgent response by the parties to the conflict with support from the international community,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994,[216]

Welcoming the report of the Secretary-General of 15 July 1999 on the United Nations preliminary deployment in the Democratic Republic of the Congo,[217]

1. *Welcomes* the signing of the Ceasefire Agreement on the conflict in the Democratic Republic of the Congo by the States concerned, in Lusaka on 10 July 1999,[218] which represents a viable basis for a resolution of the conflict in the Democratic Republic of the Congo;

2. *Also welcomes* the signing of the Ceasefire Agreement on 1 August 1999 by the Movement for the Liberation of the Congo, expresses deep concern that the Congolese Rally for Democracy has not signed the Agreement, and calls upon the latter to sign the Agreement without delay in order to bring about national reconciliation and lasting peace in the Democratic Republic of the Congo;

3. *Commends* the Organization of African Unity and the Southern African Development Community for their efforts to find a peaceful settlement of the conflict in the Democratic Republic of the Congo, and commends in particular the President of the Republic of Zambia, and also the Secretary-General, the Special Envoy of the Secretary-General for the peace process in the Democratic Republic of the Congo, the Representative of the Secretary-General to the Great Lakes Region and all those who contributed to the peace process;

4. *Calls upon* all parties to the conflict, in particular the rebel movements, to cease hostilities, to implement fully and without delay the provisions of the Ceasefire Agreement, to cooperate fully with the Organization of African Unity and the United Nations in the implementation of the Agreement and to desist from any act that may further exacerbate the situation;

5. *Stresses* the need for a continuing process of genuine national reconciliation, and encourages all Congolese to participate in the national debate to be organized in accordance with the provisions of the Ceasefire Agreement;

6. *Stresses also* the need to create an environment conducive to the return in safety and dignity of all refugees and displaced persons;

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[216] General Assembly resolution 49/59, annex.

[217] S/1999/790.

[218] S/1999/815, annex.

7. *Notes with satisfaction* the prompt establishment of the Political Committee and the Joint Military Commission by the States signatories to the Ceasefire Agreement as part of their collective effort to implement the Agreement;

8. *Authorizes* the deployment of up to ninety United Nations military liaison personnel, together with the necessary civilian, political, humanitarian and administrative staff, to the capitals of the States signatories to the Ceasefire Agreement and the provisional headquarters of the Joint Military Commission, and, as security conditions permit, to the rear military headquarters of the main belligerents in the Democratic Republic of the Congo and, as appropriate, to other areas the Secretary-General may deem necessary, for a period of three months, with the following mandate:

- To establish contacts and maintain liaison with the Joint Military Commission and all parties to the Agreement;
- To assist the Joint Military Commission and the parties in developing modalities for the implementation of the Agreement;
- To provide technical assistance, as requested, to the Joint Military Commission;
- To provide information to the Secretary-General regarding the situation on the ground, and to assist in refining a concept of operations for a possible further role of the United Nations in the implementation of the Agreement once it is signed by all parties;
- To secure from the parties guarantees of cooperation and assurances of security for the possible deployment in-country of military observers;

9. *Welcomes* the intention of the Secretary-General to appoint a Special Representative to serve as the head of the United Nations presence in the subregion relating to the peace process in the Democratic Republic of the Congo and to provide assistance in the implementation of the Ceasefire Agreement, and invites him to do so as soon as possible;

10. *Calls upon* all States and parties concerned to ensure the freedom of movement, security and safety of United Nations personnel in their territory;

11. *Calls* for safe and unhindered access for humanitarian assistance to those in need in the Democratic Republic of the Congo, and urges all parties to the conflict to guarantee the safety and security of all humanitarian personnel and to respect strictly the relevant provisions of international humanitarian law;

12. *Requests* the Secretary-General to keep it regularly informed of developments in the Democratic Republic of the Congo and to report at the appropriate time on the future presence of the United Nations in the Democratic Republic of the Congo in support of the peace process;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4032nd meeting.

Decisions

On 27 August 1999, the President of the Council addressed the following letter to the Secretary-General:[219]

> "I have the honour to inform you that your letter dated 24 August 1999[220] concerning your proposal to include Algeria, Bangladesh, Belgium, Benin, Bolivia, Canada, China, Egypt, France, Ghana, India, the Libyan Arab Jamahiriya, Madagascar, Mali, Nepal, Pakistan, Poland, Senegal, Romania, the Russian Federation, South Africa, Sweden, the United Republic of Tanzania, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Zambia in the list of Member States contributing military personnel to the

[219] S/1999/921.

[220] S/1999/920.

preliminary deployment of United Nations liaison officers to the capitals of the States signatories to the Lusaka Ceasefire Agreement[218] and the provisional headquarters of the Joint Military Commission and, as security conditions permit, to the rear military headquarters of the main belligerents in the Democratic Republic of the Congo and, as appropriate, to other areas the Secretary-General may deem necessary, for a period of three months, has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 4060th meeting, on 5 November 1999, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Second report of the Secretary-General on the United Nations Preliminary Deployment in the Democratic Republic of the Congo (S/1999/1116 and Corr.1)".

Resolution 1273 (1999)
of 5 November 1999

The Security Council,

Recalling its resolutions 1234 (1999) of 9 April 1999 and 1258 (1999) of 6 August 1999 and the statements by its President of 31 August 1998,[206] 11 December 1998[207] and 24 June 1999,[215]

Reaffirming the sovereignty, territorial integrity, and political independence of the Democratic Republic of the Congo and all States in the region,

Reaffirming also that the Ceasefire Agreement signed at Lusaka on 10 July 1999[218] represents a viable basis for a resolution of the conflict in the Democratic Republic of the Congo,

Welcoming the report of the Secretary-General of 1 November 1999,[221]

Noting with satisfaction the deployment of United Nations military liaison personnel to the capitals of the States signatories to the Ceasefire Agreement and to the Joint Military Commission established by them, and underlining the importance of their full deployment as provided for in its resolution 1258 (1999),

Noting that the Joint Military Commission and the Political Committee have held meetings as mandated under the Ceasefire Agreement,

Urging all parties to the Ceasefire Agreement to cooperate fully with the technical assessment team dispatched to the Democratic Republic of the Congo by the Secretary-General as indicated in his report of 15 July 1999,[217] in order to allow it to assess conditions and to prepare for subsequent United Nations deployments in the country,

1. *Decides* to extend the mandate of the United Nations military liaison personnel deployed under paragraph 8 of resolution 1258 (1999) until 15 January 2000;

2. *Requests* the Secretary-General to continue to report to it regularly on developments in the Democratic Republic of the Congo, including on the future presence of the United Nations in the country in support of the peace process;

3. *Calls upon* all parties to the Ceasefire Agreement signed at Lusaka[218] to continue to abide by its provisions;

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4060th meeting.

[221] S/1999/1116 and Corr.1.

Decisions

On 16 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[222]

> "I have the honour to inform you that your letter dated 13 November 1999 concerning your intention to appoint Mr. Kamel Morjane, of Tunisia, as your Special Representative for the Democratic Republic of the Congo[223] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4076th meeting, on 30 November 1999, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Second report of the Secretary-General on the United Nations Preliminary Deployment in the Democratic Republic of the Congo (S/1999/1116 and Corr.1)".

Resolution 1279 (1999) of 30 November 1999

The Security Council,

Recalling its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999 and 1273 (1999) of 5 November 1999 and the statements by its President of 31 August 1998,[206] 11 December 1998[207] and 24 June 1999,[215]

Bearing in mind the purposes and principles of the Charter of the United Nations, and the primary responsibility of the Security Council for the maintenance of international peace and security,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all States in the region,

Reaffirming also that the Ceasefire Agreement signed at Lusaka on 10 July 1999[218] represents the most viable basis for a resolution of the conflict in the Democratic Republic of the Congo, and noting the role it requests the United Nations to play in the implementation of the ceasefire,

Expressing its concern at the alleged violations of the Ceasefire Agreement, and urging all parties to refrain from any declarations or action that could jeopardize the peace process,

Stressing the responsibilities of the signatories for the implementation of the Ceasefire Agreement, and calling upon them to permit and facilitate the full deployment of United Nations military liaison officers and other personnel necessary for the fulfilment of their mandate throughout the territory of the Democratic Republic of the Congo,

Welcoming the pledges of support made to the Joint Military Commission by States and organizations, and calling upon others to contribute, together with the signatories to the Ceasefire Agreement, to the funding of the body,

Noting with concern the humanitarian situation in the Democratic Republic of the Congo, and calling upon all Member States to contribute to current and future consolidated humanitarian appeals,

Expressing its concern at the severe consequences of the conflict for the security and well-being of the civilian population throughout the territory of the Democratic Republic of the Congo,

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[222] S/1999/1172.

[223] S/1999/1171.

Expressing its concern also at the adverse impact of the conflict on the human rights situation in the Democratic Republic of the Congo, particularly in the eastern parts of the country, and the continuing violations of human rights and international humanitarian law committed throughout the territory of the Democratic Republic of the Congo,

Having considered the recommendations of the Secretary-General contained in his report of 1 November 1999,[221]

Reiterating the importance of the successful completion of the mission of the technical assessment team dispatched to the Democratic Republic of the Congo to assess conditions and to prepare for possible subsequent United Nations deployment in the country as well as to obtain firm guarantees from the parties to the conflict over the safety, security and freedom of movement of United Nations and associated personnel,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994,[216]

Underlining the importance of the full deployment of the United Nations military liaison personnel as provided for by resolution 1258 (1999),

1. *Calls upon* all parties to the conflict to cease hostilities, to implement fully the provisions of the Ceasefire Agreement signed at Lusaka,[218] and to use the Joint Military Commission to resolve disputes over military issues;

2. *Stresses* the need for a continuing process of genuine national reconciliation, encourages all Congolese to participate in the national dialogue to be organized in coordination with the Organization of African Unity, and calls upon all Congolese parties and the Organization of African Unity to finalize agreement on the facilitator for the national dialogue;

3. *Welcomes* the appointment by the Secretary-General of his Special Representative for the Democratic Republic of the Congo to serve as the head of the United Nations presence in the subregion relating to the peace process in the Democratic Republic of the Congo and to provide assistance in the implementation of the Ceasefire Agreement;

4. *Decides* that the personnel authorized under its resolutions 1258 (1999) and 1273 (1999), including a multidisciplinary staff of personnel in the fields of human rights, humanitarian affairs, public information, medical support, child protection, political affairs and administrative support, which will assist the Special Representative, shall constitute the United Nations Organization Mission in the Democratic Republic of the Congo until 1 March 2000;

5. *Decides also* that the Mission, led by the Special Representative of the Secretary-General, consistent with resolutions 1258 (1999) and 1273 (1999), shall carry out the following ongoing tasks:

(*a*) Establish contacts with the signatories to the Ceasefire Agreement at their headquarters levels, as well as in the capitals of the States signatories;

(*b*) Liaise with the Joint Military Commission and provide technical assistance in the implementation of its functions under the Ceasefire Agreement, including in the investigation of ceasefire violations;

(*c*) Provide information on security conditions in all areas of its operation, with emphasis on local conditions affecting future decisions on the introduction of United Nations personnel;

(*d*) Plan for the observation of the ceasefire and disengagement of forces;

(*e*) Maintain liaison with all parties to the Ceasefire Agreement to facilitate the delivery of humanitarian assistance to displaced persons, refugees, children, and other affected persons, and assist in the protection of human rights, including the rights of children;

6. *Underlines* the fact that the phased deployment of United Nations military observers with the necessary support and protection elements in the Democratic Republic of the Congo will

be subject to its further decision, and expresses its intention to take such a decision promptly on the basis of further recommendations of the Secretary-General, taking into account the findings of the technical assessment team;

7. *Requests* the Secretary-General to accelerate the development of a concept of operations based on assessed conditions of security, access and freedom of movement and cooperation on the part of the signatories to the Ceasefire Agreement;

8. *Also requests* the Secretary-General to keep it regularly informed and to report to it as soon as possible on the situation in the Democratic Republic of the Congo and submit his recommendations on further deployment of United Nations personnel in the country and on their protection;

9. *Requests* the Secretary-General, with immediate effect, to take the administrative steps necessary for the equipping of up to 500 United Nations military observers with a view to facilitating future rapid United Nations deployments as authorized by the Council;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4076th meeting.

Decision

At its 4083rd meeting, on 16 December 1999, the Council considered the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, the Council decided to extend an invitation, under rule 39 of the provisional rules of procedure, to the Under-Secretary-General for Peacekeeping Operations.

LETTERS DATED 20 AND 23 DECEMBER 1991, FROM FRANCE, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.*]

Decision

On 23 March 1999, the President of the Security Council addressed the following letter to the Secretary-General:[224]

"I have the honour to refer to your letter dated 19 March 1999,[225] by which you transmitted for the attention of the members of the Security Council a copy of a letter dated 19 March 1999 addressed to you by Mr. Omar Mustafa Muntasser, Secretary of the General People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya.

"In this connection, I have the honour to transmit herewith the text of the statement made by the President of the Security Council to the press on 23 March 1999 on behalf of the members of the Council, following consultations of the whole.

'*Statement made to the press on 23 March 1999*

'Members of the Security Council welcomed the letter dated 19 March 1999 from the Minister for Foreign Affairs of the Libyan Arab Jamahiriya to the Secretary-

[224] S/1999/312.

[225] S/1999/311.

General, indicating that the two suspects would be available for the Secretary-General to take custody of them on or before 6 April.

'The members of the Council reaffirmed existing Council resolutions as the basis for bringing about a full and final resolution of the situation.

'The members of the Council looked forward to the implementation of that handover in accordance with the agreed arrangements and, taking into account also the information provided by the French authorities regarding UTA 772, to the immediate suspension of sanctions with a view to lifting them as soon as circumstances permit, in accordance with relevant Council resolutions.

'The members of the Council thanked the Secretary-General for his tireless efforts in reaching an understanding with the Libyan Arab Jamahiriya on the implementation of Council resolution 1192 (1998), and expressed appreciation also for the positive actions taken by the Governments of South Africa, Saudi Arabia and other countries in support of these efforts.' "

At its 3992nd meeting, on 8 April 1999, the Security Council considered the item entitled:

"Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (S/23306, S/23307, S/23308, S/23309 and S/23317)

"Letter dated 5 April 1999 from the Secretary-General addressed to the President of the Security Council (S/1999/378)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[226]

"The Security Council recalls its resolutions 731 (1992) of 21 January 1992, 748 (1992) of 31 March 1992, 883 (1993) of 11 November 1993 and 1192 (1998) of 27 August 1998.

"The Council welcomes the letter dated 5 April 1999 from the Secretary-General to the President of the Security Council,[227] reporting that the two persons accused of the bombing of Pan Am flight 103 have arrived in the Netherlands for the purpose of trial before the court described in paragraph 2 of resolution 1192 (1998) and that, with regard to the bombing of UTA 772, the French authorities had informed the Secretary-General that he might indicate, in reporting to the Council under paragraph 8 of resolution 1192 (1998), that the conditions set forth in resolution 1192 (1998) had been met, without prejudice to the other requests concerning the bombing of Pan Am flight 103.

"The Council expresses its deep appreciation to the Secretary-General, the Governments of the Republic of South Africa and the Kingdom of Saudi Arabia and other countries for their commitment towards reaching a satisfactory conclusion relating to Pan Am flight 103.

"The Council further notes the role played by the League of Arab States, the Organization of the Islamic Conference, the Organization of African Unity and the Movement of Non-Aligned Countries in this regard.

"The Council notes that, with the letter from the Secretary-General dated 5 April 1999, the conditions set forth in paragraph 8 of resolution 1192 (1998) for the immediate suspension of the measures set forth in resolutions 748 (1992) and 883 (1993) have been fulfilled. In this regard, the Council recalls that, in accordance with resolution 1192 (1998), the measures set forth in resolutions 748 (1992) and 883 (1993) were immediately suspended upon receipt of the letter from the Secretary-General on 5 April 1999 at

[226] S/PRST/1999/10.

[227] S/1999/378.

1400 hours eastern standard time. This development was immediately acknowledged through a statement by the President of the Security Council to the press on 5 April 1999 following consultations of the whole.[228]

"The Council remains seized of the matter."

At its 4022nd meeting, on 9 July 1999, the Council considered the item entitled:

"Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (S/23306, S/23307, S/23308, S/23309 and S/23317)

"Report of the Secretary-General submitted pursuant to paragraph 16 of Security Council resolution 883 (1993) and paragraph 8 of resolution 1192 (1998) (S/1999/726)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[229]

"The Security Council recalls its resolutions 731 (1992) of 21 January 1992, 748 (1992) of 31 March 1992, 883 (1993) of 11 November 1993 and 1192 (1998) of 27 August 1998 and the statement by its President of 8 April 1999.[226]

"The Council welcomes the report of the Secretary-General of 30 June 1999 submitted in fulfilment of the request contained in paragraph 16 of resolution 883 (1993).[230]

"The Council welcomes the positive developments identified in the report and the fact that the Libyan Arab Jamahiriya has made significant progress in compliance with the relevant resolutions. It welcomes also the commitment given by the Libyan Arab Jamahiriya to implement further the relevant resolutions by continuing cooperation in order to meet all the requirements contained therein. It encourages all parties concerned to maintain their spirit of cooperation. The Council recalls that the measures set forth in resolutions 748 (1992) and 883 (1993) have been suspended, and reaffirms its intention to lift those measures as soon as possible, in conformity with the relevant resolutions.

"The Council expresses its gratitude to the Secretary-General for his continued efforts in his role as set out in paragraph 4 of resolution 731 (1992) and paragraph 6 of resolution 1192 (1998), and requests him to follow developments regarding this matter closely and to report to the Council accordingly.

"The Council remains actively seized of the matter."

ITEMS RELATING TO THE SITUATION IN RWANDA

The situation concerning Rwanda

[Resolutions or decisions on this question were also adopted by the Security Council in 1993, 1994, 1995, 1996 and 1998.]

Decision

On 26 March 1999, the President of the Security Council addressed the following letter to the Secretary-General.[231]

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[228] Press release SC/6662.

[229] S/PRST/1999/22.

[230] S/1999/726.

[231] S/1999/340.

"I have the honour to inform you that your letter dated 18 March 1999 concerning your intention to set up an independent inquiry into the actions which the United Nations took before and during the period of the crisis that occurred in Rwanda in 1994[232] has been brought to the attention of the members of the Security Council. Members of the Council support your proposed course of action in this unique circumstance."

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998.*]

Decisions

On 20 April 1999, the President of the Security Council addressed the following letter to the Secretary-General:[233]

"I have the honour to inform you that your letter dated 12 April 1999 concerning the composition of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[234] has been brought to the attention of the members of the Security Council. Having consulted those members, I support your decision to appoint Judge Asoka de Zoysa Gunawardena as a member of the Tribunal."

At its 4006th meeting, on 19 May 1999, the Security Council considered the item entitled:

"International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States

"Letter dated 17 May 1999 from the Secretary-General addressed to the President of the Security Council (S/1999/566)".

Resolution 1241 (1999) of 19 May 1999

The Security Council,

Taking note of the letter dated 17 May 1999 from the Secretary-General to the President of the Security Council, to which he attached a letter to him dated 14 May 1999 from the President of the International Tribunal for Rwanda,[235]

Endorses the recommendation of the Secretary-General that Judge Aspegren, once replaced as a member of the Tribunal, finish the Rutaganda and Musema cases which he has begun before expiry of his term of office, and takes note of the intention of the Tribunal to finish these cases if possible before 31 January 2000.

Adopted unanimously at the 4006th meeting.

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[232] S/1999/339.

[233] S/1999/449.

[234] S/1999/448.

[235] S/1999/566.

THE SITUATION BETWEEN IRAQ AND KUWAIT

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1990.]

Decisions

On 6 April 1999, the President of the Security Council addressed the following letter to the Secretary-General:[236]

"In accordance with the provisions of Security Council resolution 689 (1991) and in the light of your report of 30 March 1999,[237] the members of the Council have reviewed the question of the termination or continuation of the United Nations Iraq-Kuwait Observation Mission and its modalities of operation.

"I have the honour to inform you that the members of the Council concur with your recommendation that the Mission be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again by 6 October 1999."

At its 4008th meeting, on 21 May 1999, the Council considered the item entitled:

"The situation between Iraq and Kuwait

"Review and assessment of the implementation of the humanitarian programme established pursuant to Security Council resolution 986 (1995) (December 1996–November 1998) (S/1999/481)

"Report of the Secretary-General pursuant to paragraph 6 of Security Council resolution 1210 (1998) (S/1999/573)

"Letter dated 19 May 1999 from the Acting Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait (S/1999/582)".

Resolution 1242 (1999) of 21 May 1999

The Security Council,

Recalling its previous relevant resolutions, in particular resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998 and 1210 (1998) of 24 November 1998,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

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[236] S/1999/384.

[237] S/1999/330.

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, shall remain in force for a new period of 180 days beginning at 0001 hours eastern standard time on 25 May 1999;

2. *Also decides* that paragraph 2 of resolution 1153 (1998) shall remain in force and shall apply to the 180-day period referred to in paragraph 1 above;

3. *Requests* the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of the present resolution, and to continue to enhance as necessary the United Nations observation process in Iraq in such a way as to provide the required assurance to the Council that the goods produced in accordance with the present resolution are distributed equitably and that all supplies authorized for procurement, including dual-usage items and spare parts, are utilized for the purpose for which they have been authorized;

4. *Notes* that the Security Council Committee established by resolution 661 (1990) is reviewing various options, in particular the proposal made by the Secretary-General, as requested by paragraph 4 of resolution 1210 (1998), to resolve the difficulties encountered in the financial process, referred to in his report of 19 November 1998;[238]

5. *Decides* to conduct a thorough review of all aspects of the implementation of the present resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period, upon receipt of the reports referred to in paragraphs 6 and 10 below, and expresses its intention, prior to the end of the 180-day period, to consider favourably renewal of the provisions of the present resolution as appropriate, provided that the said reports indicate that those provisions are being satisfactorily implemented;

6. *Requests* the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above and again prior to the end of the 180-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (*a*) of resolution 986 (1995), including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 2 of resolution 1153 (1998);

7. *Also requests* the Secretary-General to report to the Council if Iraq is unable to export petroleum and petroleum products sufficient to produce the total sum provided for by paragraph 2 above and, following consultations with relevant United Nations agencies and the Iraqi authorities, make recommendations for the expenditure of the sum expected to be available, consistent with the priorities established in paragraph 2 of resolution 1153 (1998) and with the distribution plan referred to in paragraph 5 of resolution 1175 (1998);

8. *Decides* that paragraphs 1, 2, 3 and 4 of resolution 1175 (1998) shall remain in force and shall apply to the new 180-day period referred to in paragraph 1 above;

9. *Requests* the Secretary-General, in consultation with the Government of Iraq, to submit to the Council, by 30 June 1999, a detailed list of parts and equipment necessary for the purpose described in paragraph 1 of resolution 1175 (1998);

10. *Requests* the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above, and again prior to the end of the 180-day period, on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

11. *Urges* all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of the present resolution;

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[238] S/1998/1100.

12. *Appeals* to all States to continue to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently required humanitarian supplies reach the Iraqi people as rapidly as possible;

13. *Stresses* the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of the present resolution in Iraq;

14. *Decides* to keep these arrangements under review, including, in particular, those in paragraph 2 above, to ensure the uninterrupted flow of humanitarian supplies into Iraq, and expresses its willingness to review the relevant recommendations of the report of the panel established to review humanitarian issues[239] as appropriate with regard to the 180-day period referred to in paragraph 1 above;

15. *Decides* to remain seized of the matter.

Adopted unanimously at the 4008th meeting.

Decision

At its 4050th meeting, on 4 October 1999, the Security Council considered the item entitled "The situation between Iraq and Kuwait".

Resolution 1266 (1999)
of 4 October 1999

The Security Council,

Recalling its previous relevant resolutions, in particular resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1210 (1998) of 24 November 1998 and 1242 (1999) of 21 May 1999,

Recalling also the report of the Secretary-General of 19 August 1999,[240] in particular paragraphs 4 and 94 thereof,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that paragraph 2 of resolution 1153 (1998), as extended by resolution 1242 (1999), shall be modified to the extent necessary to authorize States to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly related thereto, sufficient to produce an additional sum, beyond that provided for by resolution 1242 (1999), equivalent to the total shortfall of revenues authorized but not generated under resolutions 1153 (1998) and 1210 (1998), 3.04 billion United States dollars, within the period of 180 days from 0001 hours eastern standard time on 25 May 1999;

2. *Decides* to remain seized of the matter.

Adopted unanimously at the 4050th meeting.

[239] See S/1999/356.

[240] S/1999/896 and Corr.1.

Decisions

On 6 October 1999, the President of the Security Council addressed the following letter to the Secretary-General:[241]

"In accordance with the provisions of Security Council resolution 689 (1991) of 9 April 1991 and in the light of your report of 24 September 1999,[242] the members of the Council have reviewed the question of the termination or continuation of the United Nations Iraq-Kuwait Observation Mission and its modalities of operation.

"I have the honour to inform you that the members of the Council concur with your recommendation that the Mission be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again by 6 April 2000."

On 10 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[243]

"I have the honour to inform you that your letter dated 5 November 1999 regarding your intention to appoint General John Augustine Vize, of Ireland, as the next Force Commander of the United Nations Iraq-Kuwait Observation Mission[244] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

At its 4070th meeting, on 19 November 1999, the Council considered the item entitled:

"The situation between Iraq and Kuwait

"Report of the Secretary-General pursuant to paragraph 6 of Security Council resolution 1242 (1999) (S/1999/1162 and Corr.1)

"Letter dated 17 November 1999 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait (S/1999/1177)".

Resolution 1275 (1999) of 19 November 1999

The Security Council,

Recalling its resolutions 1242 (1999) of 21 May 1999 and 1266 (1999) of 4 October 1999,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the period referred to in paragraphs 1, 2 and 8 of resolution 1242 (1999) and in paragraph 1 of resolution 1266 (1999) until 4 December 1999;

2. *Decides* to remain seized of the matter.

Adopted unanimously at the 4070th meeting.

Decision

At its 4077th meeting, on 3 December 1999, the Security Council considered the item entitled:

"The situation between Iraq and Kuwait

[241] S/1999/1033.

[242] S/1999/1006 and Corr.1.

[243] S/1999/1155.

[244] S/1999/1154.

"Report of the Secretary-General pursuant to paragraph 6 of Security Council resolution 1242 (1999) (S/1999/1162 and Corr.1)

"Letter dated 17 November 1999 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait (S/1999/1177)".

Resolution 1280 (1999)
of 3 December 1999

The Security Council,

Recalling its resolutions 1242 (1999) of 21 May 1999, 1266 (1999) of 4 October 1999 and 1275 (1999) of 19 November 1999,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the period referred to in paragraphs 1, 2 and 8 of resolution 1242 (1999) and in paragraph 1 of resolution 1266 (1999) until 11 December 1999;

2. *Decides* to remain seized of the matter.

Adopted at the 4077th meeting
by 11 votes to none, with 3 abstentions
(China, Malaysia and Russian Federation).
One member (France) did not participate in the vote.

Decision

At its 4079th meeting, on 10 December 1999, the Security Council considered the item entitled:

"The situation between Iraq and Kuwait

"Report of the Secretary-General pursuant to paragraph 6 of Security Council resolution 1242 (1999) (S/1999/1162 and Corr.1)

"Letter dated 17 November 1999 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait (S/1999/1177)".

Resolution 1281 (1999)
of 10 December 1999

The Security Council,

Recalling its previous relevant resolutions, in particular resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1210 (1998) of 24 November 1998, 1242 (1999) of 21 May 1999, 1266 (1999) of 4 October 1999, 1275 (1999) of 19 November 1999 and 1280 (1999) of 3 December 1999,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, shall remain in force for a new period of 180 days beginning at 0001 hours eastern standard time on 12 December 1999;

2. *Also decides* that paragraph 2 of resolution 1153 (1998) shall remain in force and shall apply to the 180-day period referred to in paragraph 1 above;

3. *Requests* the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of the present resolution and to continue to enhance as necessary the United Nations observation process in Iraq in such a way as to provide the required assurance to the Council that the goods produced in accordance with the present resolution are distributed equitably and that all supplies authorized for procurement, including dual-usage items and spare parts, are utilized for the purpose for which they have been authorized;

4. *Decides* to conduct a thorough review of all aspects of the implementation of the present resolution 90 days after the entry into force of paragraph 1 above, and again prior to the end of the 180-day period, upon receipt of the reports referred to in paragraphs 5 and 10 below, and expresses its intention, prior to the end of the 180-day period, to consider favourably renewal of the provisions of the present resolution, as appropriate, provided that the said reports indicate that those provisions are being satisfactorily implemented;

5. *Requests* the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above and again prior to the end of the 180-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (*a*) of resolution 986 (1995), including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 2 of resolution 1153 (1998);

6. *Requests* the Secretary-General to report to the Council if Iraq is unable to export petroleum and petroleum products sufficient to produce the total sum provided for by paragraph 2 above and, following consultations with the relevant United Nations agencies and the Iraqi authorities, make recommendations for the expenditure of sums expected to be available, consistent with the priorities established in paragraph 2 of resolution 1153 (1998) and with the distribution plan referred to in paragraph 5 of resolution 1175 (1998);

7. *Decides* that paragraph 3 of resolution 1210 (1998) shall apply to the new 180-day period referred to in paragraph 1 above;

8. *Also decides* that paragraphs 1, 2, 3 and 4 of resolution 1175 (1998) shall remain in force and shall apply to the new 180-day period referred to in paragraph 1 above;

9. *Requests* the Secretary-General, in consultation with the Government of Iraq, to submit to the Council no later than 15 January 2000 a detailed list of parts and equipment necessary for the purpose described in paragraph 1 of resolution 1175 (1998);

10. *Requests* the Security Council Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above, and again prior to the end of the 180-day period, on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

11. *Urges* all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of the present resolution;

12. *Appeals* to all States to continue to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi people as rapidly as possible;

13. *Stresses* the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of the present resolution in Iraq;

14. *Decides* to keep these arrangements under review, including in particular those in paragraph 2 above, to ensure the uninterrupted flow of humanitarian supplies into Iraq, and expresses its determination to act without delay to address the recommendations of the report of the panel established to review humanitarian and other issues in Iraq[239] in a further, comprehensive resolution;

15. *Decides* to remain seized of the matter.

Adopted unanimously at the 4079th meeting.

Decision

At its 4084th meeting, on 17 December 1999, the Security Council decided to invite the representative of Kuwait to participate, without vote, in the discussion of the item entitled "The situation between Iraq and Kuwait".

Resolution 1284 (1999)
of 17 December 1999

The Security Council,

Recalling its previous relevant resolutions, including resolutions 661 (1990) of 6 August 1990, 687 (1991) of 3 April 1991, 699 (1991) of 17 June 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 986 (1995) of 14 April 1995, 1051 (1996) of 27 March 1996, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1242 (1999) of 21 May 1999 and 1266 (1999) of 4 October 1999,

Recalling the approval by the Council in its resolution 715 (1991) of the plans for future ongoing monitoring and verification submitted by the Secretary-General and the Director General of the International Atomic Energy Agency in pursuance of paragraphs 10 and 13 of resolution 687 (1991),

Welcoming the reports of the three panels on Iraq,[239] and having undertaken a comprehensive consideration of those reports and the recommendations contained in them,

Stressing the importance of a comprehensive approach to the full implementation of all relevant Security Council resolutions regarding Iraq and the need for Iraqi compliance with those resolutions,

Recalling the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons as referred to in paragraph 14 of resolution 687 (1991),

Concerned at the humanitarian situation in Iraq, and determined to improve that situation,

Recalling with concern that the repatriation and return of all Kuwaiti and third-country nationals or their remains, present in Iraq on or after 2 August 1990, pursuant to paragraph 2 (*c*) of resolution 686 (1991) of 2 March 1991 and paragraph 30 of resolution 687 (1991), have not yet been fully carried out by Iraq,

Recalling that in its resolutions 686 (1991) and 687 (1991) the Council demanded that Iraq return in the shortest possible time all Kuwaiti property it had seized, and noting with regret that Iraq has still not complied fully with that demand,

Acknowledging the progress made by Iraq towards compliance with the provisions of resolution 687 (1991), but noting that, as a result of its failure to implement the relevant Council resolutions fully, the conditions do not exist which would enable the Council to take a decision pursuant to resolution 687 (1991) to lift the prohibitions referred to in that resolution,

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait, Iraq and the neighbouring States,

Acting under Chapter VII of the Charter of the United Nations, and taking into account the fact that operative provisions of the present resolution relate to previous resolutions adopted under Chapter VII of the Charter,

A

1. *Decides* to establish, as a subsidiary body of the Council, the United Nations Monitoring, Verification and Inspection Commission, which replaces the Special Commission established pursuant to paragraph 9 (*b*) of resolution 687 (1991);

2. *Decides also* that the Monitoring, Verification and Inspection Commission will undertake the responsibilities mandated to the Special Commission by the Council with regard to the verification of compliance by Iraq with its obligations under paragraphs 8, 9 and 10 of resolution 687 (1991) and other related resolutions, that the Commission will establish and operate, as was recommended by the panel on disarmament and current and future ongoing monitoring and verification issues, a reinforced system of ongoing monitoring and verification, which will implement the plan approved by the Council in resolution 715 (1991) and address unresolved disarmament issues, and that the Commission will identify, as necessary in accordance with its mandate, additional sites in Iraq to be covered by the reinforced system of ongoing monitoring and verification;

3. *Reaffirms* the provisions of the relevant resolutions with regard to the role of the International Atomic Energy Agency in addressing compliance by Iraq with paragraphs 12 and 13 of resolution 687 (1991) and with other related resolutions, and requests the Director General of the International Atomic Energy Agency to maintain this role with the assistance and cooperation of the Monitoring, Verification and Inspection Commission;

4. *Reaffirms* its resolutions 687 (1991), 699 (1991), 707 (1991), 715 (1991), 1051 (1996),[1] 1154 (1998) of 2 March 1998, and all other relevant resolutions and statements by its President, which establish the criteria for Iraqi compliance, affirms that the obligations of Iraq referred to in those resolutions and statements with regard to cooperation with the Special Commission, unrestricted access and provision of information will apply in respect of the Monitoring, Verification and Inspection Commission, and decides in particular that Iraq shall allow Mission teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transport which they wish to inspect in accordance with the mandate of the Commission, as well as to all officials and other persons under the authority of the Iraqi Government whom the Commission wishes to interview so that it may fully discharge its mandate;

5. *Requests* the Secretary-General, within 30 days of the adoption of the present resolution, to appoint, after consultation with and subject to the approval of the Council, an Executive Chairman of the Monitoring, Verification and Inspection Commission who will take up his mandated tasks as soon as possible and, in consultation with the Executive Chairman and the Council members, to appoint suitably qualified experts as a College of Commissioners for the Commission, which will meet regularly to review the implementation of the present and other relevant resolutions and provide professional advice and guidance to the Executive Chairman, including on significant policy decisions and on written reports to be submitted to the Council through the Secretary-General;

6. *Requests* the Executive Chairman of the Monitoring, Verification and Inspection Commission, within 45 days of his appointment, in consultation with and through the Secretary-

General, to submit to the Council for its approval an organizational plan for the Commission, including its structure, staffing requirements, management guidelines, recruitment and training procedures, incorporating as appropriate the recommendations of the panel on disarmament and current and future ongoing monitoring and verification issues,[239] and recognizing in particular the need for an effective, cooperative management structure for the new organization, for staffing with suitably qualified and experienced personnel, who would be regarded as international civil servants subject to Article 100 of the Charter of the United Nations, drawn from the broadest possible geographical base, including as he deems necessary from international arms control organizations, and for the provision of high quality technical and cultural training;

7. *Decides* that the Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency, not later than 60 days after they have both started work in Iraq, will each draw up, for approval by the Council, a work programme for the discharge of their mandates, which will include both the implementation of the reinforced system of ongoing monitoring and verification, and the key remaining disarmament tasks to be completed by Iraq pursuant to its obligations to comply with the disarmament requirements of resolution 687 (1991) and other related resolutions, which constitute the governing standard of Iraqi compliance, and further decides that what is required of Iraq for the implementation of each task shall be clearly defined and precise;

8. *Requests* the Executive Chairman of the Monitoring, Verification and Inspection Commission and the Director General of the International Atomic Energy Agency, drawing on the expertise of other international organizations as appropriate, to establish a unit which will have the responsibilities of the joint unit constituted by the Special Commission and the Director General under paragraph 16 of the export/import mechanism approved by resolution 1051 (1996), and also requests the Executive Chairman, in consultation with the Director General , to resume the revision and updating of the lists of items and technology to which the mechanism applies;

9. *Decides* that the Government of Iraq shall be liable for the full costs of the Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency related to their work under the present and other related resolutions on Iraq;

10. *Requests* Member States to give full cooperation to the Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency in the discharge of their mandates;

11. *Decides* that the Monitoring, Verification and Inspection Commission shall take over all assets, liabilities and archives of the Special Commission, and that it shall assume the part of the Special Commission in agreements existing between the Special Commission and Iraq and between the United Nations and Iraq, and affirms that the Executive Chairman, the Commissioners and the personnel serving with the Monitoring, Verification and Inspection Commission shall have the rights, privileges, facilities and immunities of the Special Commission;

12. *Requests* the Executive Chairman of the Monitoring, Verification and Inspection Commission to report every three months, through the Secretary-General, to the Council, following consultation with the Commissioners, on the work of the Commission, pending submission of the first reports referred to in paragraph 33 below, and to report immediately when the reinforced system of ongoing monitoring and verification is fully operational in Iraq;

B

13. *Reiterates* the obligation of Iraq, in furtherance of its commitment to facilitate the repatriation of all Kuwaiti and third-country nationals referred to in paragraph 30 of resolution 687 (1991), to extend all necessary cooperation to the International Committee of the Red Cross, and calls upon the Government of Iraq to resume cooperation with the Tripartite Commission and the Technical Subcommittee established to facilitate work on this issue;

14. *Requests* the Secretary-General to report to the Council every four months on compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and

third-country nationals or their remains, to report every six months on the return of all Kuwaiti property, including archives, seized by Iraq, and to appoint a high-level coordinator for these issues;

C

15. *Authorizes* States, notwithstanding the provisions of paragraphs 3 (*a*), 3 (*b*) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of any volume of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, as required for the purposes and on the conditions set out in paragraphs 1 (*a*) and 1 (*b*) and subsequent provisions of resolution 986 (1995) and related resolutions;

16. *Underlines*, in this context, its intention to take further action, including permitting the use of additional export routes for petroleum and petroleum products, under appropriate conditions otherwise consistent with the purposes and provisions of resolution 986 (1995) and related resolutions;

17. *Directs* the Security Council Committee established by resolution 661 (1990) to approve, on the basis of proposals from the Secretary-General, lists of humanitarian items, including foodstuffs, pharmaceutical and medical supplies, as well as basic or standard medical and agricultural equipment and basic or standard educational items, decides, notwithstanding paragraph 3 of resolution 661 (1990) and paragraph 20 of resolution 687 (1991), that supplies of these items will not be submitted for the approval of that Committee, except for items subject to the provisions of resolution 1051 (1996), and that they will be notified to the Secretary-General and financed in accordance with the provisions of paragraphs 8 (*a*) and 8 (*b*) of resolution 986 (1995), and requests the Secretary-General to inform the Committee in a timely manner of all such notifications received and actions taken;

18. *Requests* the Committee established by resolution 661 (1990) to appoint, in accordance with resolutions 1175 (1998) and 1210 (1998) of 24 November 1998, a group of experts, including independent inspection agents appointed by the Secretary-General in accordance with paragraph 6 of resolution 986 (1995), decides that this group will be mandated to approve speedily contracts for the parts and equipment necessary to enable Iraq to increase its exports of petroleum and petroleum products, according to lists of parts and equipment approved by that Committee for each individual project, and requests the Secretary-General to continue to provide for the monitoring of these parts and equipment inside Iraq;

19. *Encourages* Member States and international organizations to provide supplementary humanitarian assistance to Iraq and published material of an educational character to Iraq;

20. *Decides* to suspend, for an initial period of six months from the date of the adoption of the present resolution and subject to review, the implementation of paragraph 8 (*g*) of resolution 986 (1995);

21. *Requests* the Secretary-General to take steps to maximize, drawing as necessary on the advice of specialists, including representatives of international humanitarian organizations, the effectiveness of the arrangements set out in resolution 986 (1995) and related resolutions, including the humanitarian benefit to the Iraqi population in all areas of the country, and further requests the Secretary-General to continue to enhance as necessary the United Nations observation process in Iraq, ensuring that all supplies under the humanitarian programme are utilized as authorized, to bring to the attention of the Council any circumstances preventing or impeding effective and equitable distribution and to keep the Council informed of the steps taken towards the implementation of this paragraph;

22. *Also requests* the Secretary-General to minimize the cost of the United Nations activities associated with the implementation of resolution 986 (1995) as well as the cost of the independent inspection agents and the certified public accountants appointed by him, in accordance with paragraphs 6 and 7 of resolution 986 (1995);

23. *Further requests* the Secretary-General to provide Iraq and the Committee established by resolution 661 (1990) with a daily statement of the status of the escrow account established by paragraph 7 of resolution 986 (1995);

24. *Requests* the Secretary-General to make the necessary arrangements, subject to Security Council approval, to allow funds deposited in the escrow account established by resolution 986 (1995) to be used for the purchase of locally produced goods and to meet the local cost for essential civilian needs which have been funded in accordance with the provisions of resolution 986 (1995) and related resolutions, including, where appropriate, the cost of installation and training services;

25. *Directs* the Committee established by resolution 661 (1990) to take a decision on all applications in respect of humanitarian and essential civilian needs within two working days of receipt of these applications from the Secretary-General, and to ensure that all approval and notification letters issued by the Committee stipulate delivery within a specified time, according to the nature of the items to be supplied, and requests the Secretary-General to notify the Committee of all applications for humanitarian items which are included in the list to which the export/import mechanism approved by resolution 1051 (1996) applies;

26. *Decides* that Hajj flights which do not transport cargo into or out of Iraq are exempt from the provisions of paragraph 3 of resolution 661 (1990) and resolution 670 (1990), provided timely notification of each flight is made to the Committee established by resolution 661 (1990), and requests the Secretary-General to make the necessary arrangements, for approval by the Security Council, to provide for reasonable expenses related to the Hajj to be met by funds in the escrow account established by resolution 986 (1995);

27. *Calls upon* the Government of Iraq:

(*a*) To take all steps to ensure the timely and equitable distribution of all humanitarian goods, in particular medical supplies, and to remove and avoid delays at its warehouses;

(*b*) To address effectively the needs of vulnerable groups, including children, pregnant women, the disabled, the elderly and the mentally ill among others, and to allow freer access, without any discrimination, including on the basis of religion or nationality, by United Nations agencies and humanitarian organizations to all areas and sections of the population for evaluation of their nutritional and humanitarian condition;

(*c*) To prioritize applications for humanitarian goods under the arrangements set out in resolution 986 (1995) and related resolutions;

(*d*) To ensure that those involuntarily displaced receive humanitarian assistance without the need to demonstrate that they have resided for six months in their places of temporary residence;

(*e*) To extend full cooperation to the mine-clearance programme of the United Nations Office for Project Services in the three northern governorates of Iraq and to consider the initiation of the demining efforts in other governorates;

28. *Requests* the Secretary-General to report on the progress made in meeting the humanitarian needs of the Iraqi people and on the revenues necessary to meet those needs, including recommendations on necessary additions to the current allocation for oil spare parts and equipment, on the basis of a comprehensive survey of the condition of the Iraqi oil-production sector, not later than 60 days from the date of the adoption of the present resolution, and updated thereafter as necessary;

29. *Expresses its readiness* to authorize additions to the current allocation for oil spare parts and equipment, on the basis of the report and recommendations requested in paragraph 28 above, in order to meet the humanitarian purposes set out in resolution 986 (1995) and related resolutions;

30. *Requests* the Secretary-General to establish a group of experts, including oil industry experts, to report within 100 days of the date of adoption of the present resolution on Iraq's existing petroleum production and export capacity and to make recommendations, to be updated as necessary, on alternatives for increasing Iraq's petroleum production and export capacity in a manner consistent with the purposes of relevant resolutions, and on the options for involving foreign oil companies in Iraq's oil sector, including investments, subject to appropriate monitoring and controls;

31. *Notes* that in the event of the Council acting as provided for in paragraph 33 below to suspend the prohibitions referred to in that paragraph, appropriate arrangements and procedures will need, subject to paragraph 35 below, to be agreed upon by the Council in good time beforehand, including suspension of provisions of resolution 986 (1995) and related resolutions;

32. *Requests* the Secretary-General to report to the Council on the implementation of paragraphs 15 to 30 of the present resolution within 30 days of the adoption of this resolution;

D

33. *Expresses its intention*, upon receipt of reports from the Executive Chairman of the Monitoring, Verification and Inspection Commission and from the Director General of the International Atomic Energy Agency that Iraq has cooperated in all respects with the Commission and the Agency in particular in fulfilling the work programmes in all the aspects referred to in paragraph 7 above, for a period of 120 days after the date on which the Council is in receipt of reports from both the Commission and the agency that the reinforced system of ongoing monitoring and verification is fully operational, to suspend with the fundamental objective of improving the humanitarian situation in Iraq and securing the implementation of the Council's resolutions, for a period of 120 days renewable by the Council, and subject to the elaboration of effective financial and other operational measures to ensure that Iraq does not acquire prohibited items, prohibitions against the import of commodities and products originating in Iraq, and prohibitions against the sale, supply and delivery to Iraq of civilian commodities and products other than those referred to in paragraph 24 of resolution 687 (1991) or those to which the mechanism established by resolution 1051 (1996) applies;

34. *Decides* that in reporting to the Council for the purposes of paragraph 33 above, the Executive Chairman of the Monitoring, Verification and Inspection Commission will include as a basis for his assessment the progress made in completing the tasks referred to in paragraph 7 above;

35. *Decides* that if at any time the Executive Chairman of the Monitoring, Verification and Inspection Commission or the Director General of the International Atomic Energy Agency reports that Iraq is not cooperating in all respects with the Commission or the Agency or if Iraq is in the process of acquiring any prohibited items, the suspension of the prohibitions referred to in paragraph 33 above shall terminate on the fifth working day following the report, unless the Council decides to the contrary;

36. *Expresses its intention* to approve arrangements for effective financial and other operational measures, including on the delivery of and payment for authorized civilian commodities and products to be sold or supplied to Iraq, in order to ensure that Iraq does not acquire prohibited items in the event of suspension of the prohibitions referred to in paragraph 33 above, to begin the elaboration of such measures not later than the date of receipt of the initial reports referred to in paragraph 33 above, and to approve such arrangements before the Council decision in accordance with that paragraph;

37. *Also expresses its intention* to take steps, based on the report and recommendations requested in paragraph 30 above, and consistent with the purpose of resolution 986 (1995) and related resolutions, to enable Iraq to increase its petroleum production and export capacity, upon receipt of the reports relating to the cooperation in all respects with the Monitoring, Verification

and Inspection Commission and the International Atomic Energy Agency referred to in paragraph 33 above;

38. *Reaffirms its intention* to act in accordance with the relevant provisions of resolution 687 (1991) on the termination of prohibitions referred to in that resolution;

39. *Decides* to remain actively seized of the matter, and expresses its intention to consider action in accordance with paragraph 33 above no later than 12 months from the date of the adoption of the present resolution provided the conditions set out in paragraph 33 above have been satisfied by Iraq.

Adopted at the 4084th meeting
by 11 votes to none, with 4 abstentions
(China, France, Malaysia and Russian Federation).

THE SITUATION IN BURUNDI

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.*]

Decisions

On 15 April 1999, the President of the Security Council addressed the following letter to the Secretary-General:[245]

> "I have the honour to inform you that your letter dated 12 April 1999 concerning your decision to upgrade the level of the United Nations Office in Burundi by appointing Mr. Cheikh Tidiane Sy, the current head of the Office, as your Representative in Burundi[246] has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter."

On 5 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[247]

> "I have the honour to inform you that your letter dated 2 November 1999 concerning your intention to extend the United Nations Office in Burundi until the end of December 2000[248] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 5 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[249]

> "I have the honour to inform you that your letter dated 2 November 1999 concerning your decision to extend the appointment of Mr. Ayité Jean-Claude Kpakpo, of Benin, as Senior United Nations Adviser to the Facilitator of the Burundi peace process until June 2000[250] has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter."

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[245] S/1999/426.
[246] S/1999/425.
[247] S/1999/1137.
[248] S/1999/1136.
[249] S/1999/1139.
[250] S/1999/1138.

At its 4067th meeting, on 12 November 1999, the Council decided to invite the representatives of Burundi, Finland, Norway and the United Republic of Tanzania to participate, without vote, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, the Council also decided to extend an invitation to the Assistant Secretary-General for Political Affairs, under rule 39 of the provisional rules of procedure of the Council.

At its 4068th meeting, on 12 November 1999, the Council considered the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[251]

> "The Security Council notes with concern the recent outbreaks of violence in Burundi and the delays in the peace process. It calls upon all the parties to put an end to this violence and pursue negotiations towards the peaceful resolution of Burundi's ongoing crisis.
>
> "The Council reiterates its support for the Arusha peace process and for the efforts to build an internal political partnership in Burundi. It notes with great sadness the death of Mwalimu Julius Nyerere, while at the same time rededicating its efforts to the cause of peace he served. The Council firmly believes that the process chaired by the late Mwalimu Nyerere offers the best hope for peace in Burundi and should be the foundation for all-party talks leading to the conclusion of a peace agreement. The States of the region, in close consultation with the United Nations, need to act quickly to appoint a new mediation team that is acceptable to the Burundian parties to the negotiations.
>
> "The Council commends those Burundian parties, including the Government, that demonstrated their commitment to continue negotiations, calls upon those parties that remain outside the process to cease hostilities and calls for their full participation in Burundi's inclusive peace process.
>
> "The Council condemns the murder of United Nations personnel in Burundi in October. It calls upon the Government to undertake and cooperate with investigations, and for the perpetrators to be brought to justice. The Council urges all parties to ensure the safe and unhindered access of humanitarian assistance to those in need in Burundi and to guarantee fully the security and freedom of movement of United Nations and humanitarian personnel. The Council recognizes the important role of the States of the region, in particular the United Republic of Tanzania, which is host to hundreds of thousands of Burundian refugees and home to the Julius Nyerere Foundation, which has provided outstanding support to the talks.
>
> "The Council calls upon States of the region to ensure the neutrality and civilian character of refugee camps and to prevent the use of their territory by armed insurgents. It also calls upon the Government of Burundi to halt the policy of forced regroupment and to allow the affected people to return to their homes, with full and unhindered humanitarian access throughout the process. It condemns the attacks by armed groups against civilians and calls for an end to these unacceptable incidents.
>
> "The Council recognizes Burundi's dire economic and social conditions and affirms the need for the donor community to expand assistance for Burundi."

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[251] S/PRST/1999/32.

THE SITUATION IN TIMOR

[*Resolutions or decisions on this question were also adopted by the Security Council in 1975 and 1976. As from the 4041st meeting, on 3 September 1999, the agenda item was reformulated to read "The situation in East Timor".*]

Decision

At its 3998th meeting, on 7 May 1999, the Security Council decided to invite the representatives of Indonesia and Portugal to participate, without vote, in the discussion of the item entitled:

"The situation in Timor

"Report of the Secretary-General (S/1999/513)".

Resolution 1236 (1999) of 7 May 1999

The Security Council,

Recalling its previous resolutions on the situation in East Timor,

Recalling also General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and 2625 (XXV) of 24 October 1970 and Assembly resolutions on the question of East Timor, in particular resolution 37/30 of 23 November 1982,

Bearing in mind the sustained efforts of the Governments of Indonesia and Portugal since July 1983, through the good offices of the Secretary-General, to find a just, comprehensive and internationally acceptable solution to the question of East Timor,

Welcoming the progress made at the last round of talks between the Governments of Portugal and Indonesia, under the auspices of the Secretary-General, leading to the conclusion of a series of agreements in New York on 5 May 1999,

Commending in particular the efforts of the Personal Representative of the Secretary-General in this regard,

Taking note of the report of the Secretary-General,[252]

Taking note also of the concerns expressed in the report of the Secretary-General regarding the security situation in East Timor,

1. *Welcomes* the concluding of the Agreement between Indonesia and Portugal on 5 May 1999 on the question of East Timor (the General Agreement);[253]

2. *Welcomes also* the concluding of the Agreements between the United Nations and the Governments of Indonesia and Portugal also on 5 May 1989 regarding security arrangements[254] and the modalities for the popular consultation of the East Timorese through a direct ballot;[255]

3. *Welcomes further* the intention of the Secretary-General to establish as soon as practicable a United Nations presence in East Timor, with a view to assisting in the implementation of those Agreements, in particular by:

(*a*) Conducting a popular consultation of the East Timorese people on the acceptance or rejection of a constitutional framework for autonomy for East Timor, scheduled for 8 August 1999, in accordance with the General Agreement;

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[252] S/1999/513.

[253] Ibid., annex I.

[254] Ibid., annex III.

[255] Ibid., annex II.

(*b*) Making available a number of civilian police officers to act as advisers to the Indonesian Police in the discharge of their duties in East Timor and, at the time of the consultation, to supervise the escorting of ballot papers and boxes to and from the polling sites;

4. *Stresses* the importance of the requests made to the Secretary-General in the General Agreement to report the result of the popular consultation to the Security Council and the General Assembly, as well as to the Governments of Indonesia and Portugal and the East Timorese people, and, during the interim period between the conclusion of the popular consultation and the start of the implementation of either option, an autonomy within Indonesia or transition to independence, to maintain an adequate United Nations presence in East Timor;

5. *Stresses also* the responsibility of the Government of Indonesia to maintain peace and security in East Timor in order to ensure that the consultation is carried out in a fair and peaceful way and in an atmosphere free of intimidation, violence or interference from any side and to ensure the safety and security of United Nations and other international staff and observers in East Timor;

6. *Stresses further* the importance of the assistance of the Government of Indonesia in ensuring that the United Nations is able to carry out all the tasks entrusted to it for the implementation of the agreements;

7. *Welcomes* the establishment by the Secretary-General of a trust fund to enable Member States to make voluntary contributions to assist in the financing of the United Nations presence in East Timor, and urges all Member States who are in a position to do so to contribute without delay;

8. *Requests* the Secretary-General to keep the Security Council closely informed of the situation in East Timor, to report to it as soon as possible, and in any event by 24 May 1999, on the implementation of the present resolution and of the agreements referred to in paragraphs 1 and 2 above, inter alia, specifying the detailed modalities of the consultation process, to make detailed recommendations to the Council for decision on the mandate, size, structure and budget of the United Nations mission, including civilian police officers envisaged in paragraph 3 above, and to report to the Council thereafter every fourteen days;

9. *Expresses its intention* to take a prompt decision on the establishment of a United Nations mission on the basis of the report referred to in paragraph 8 above;

10. *Requests* the Secretary-General to inform the Council prior to the start of voter registration on whether, on the basis of the objective evaluation of the United Nations mission, the necessary security situation exists for the peaceful implementation of the consultation process;

11. *Decides* to remain seized of the matter.

Adopted unanimously at the 3998th meeting.

Decisions

On 25 May 1999, the President of the Security Council addressed the following letter to the Secretary-General: [256]

> "I have the honour to inform you that your letter dated 21 May 1999 concerning your decision to appoint Mr. Ian Martin, of the United Kingdom of Great Britain and Northern Ireland, as your Special Representative for the East Timor Popular Consultation[257] has been brought to the attention of the members of the Security Council. They have taken note of the decision."

[256] S/1999/603.

[257] S/1999/602.

At its 4013th meeting, on 11 June 1999, the Council decided to invite the representatives of Australia, Indonesia, New Zealand and Portugal to participate, without vote, in the discussion of the item entitled:

"The situation in Timor

"Report of the Secretary-General (S/1999/595)".

Resolution 1246 (1999)
of 11 June 1999

The Security Council,

Recalling its previous resolutions on the situation in East Timor, in particular resolution 1236 (1999) of 7 May 1999,

Recalling also the Agreement between Indonesia and Portugal of 5 May 1999 on the question of East Timor (the General Agreement)[253] and the Agreements between the United Nations and the Governments of Indonesia and Portugal, of the same date, regarding the modalities for the popular consultation of the East Timorese through a direct ballot[255] and regarding security arrangements (the Security Agreement),[254]

Welcoming the report of the Secretary-General of 22 May 1999 on the question of East Timor,[258]

Noting with concern the assessment by the Secretary-General in that report that the security situation in East Timor remains "extremely tense and volatile",

Taking note of the pressing need for reconciliation between the various competing factions within East Timor,

Welcoming the fruitful cooperation of the Government of Indonesia and the local authorities in East Timor with the United Nations,

Taking note of the letter dated 7 June 1999 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Security Council,[259]

Welcoming the conclusion of consultations between the Government of Indonesia and the United Nations on the deployment of military liaison officers within the mission established by paragraph 1 below,

Bearing in mind the sustained efforts of the Governments of Indonesia and Portugal since July 1983, through the good offices of the Secretary-General, to find a just, comprehensive and internationally acceptable solution to the question of East Timor,

Welcoming the appointment of the Special Representative of the Secretary-General for the East Timor Popular Consultation, and reiterating its support for the efforts of the Personal Representative of the Secretary-General for East Timor,

1. *Decides* to establish until 31 August 1999 the United Nations Mission in East Timor to organize and conduct a popular consultation, scheduled for 8 August 1999, on the basis of a direct, secret and universal ballot, in order to ascertain whether the East Timorese people accept the proposed constitutional framework providing for a special autonomy for East Timor within the unitary Republic of Indonesia or reject the proposed special autonomy for East Timor, leading to East Timor's separation from Indonesia, in accordance with the General Agreement[253] and to enable the Secretary-General to discharge his responsibility under paragraph 3 of the Security Agreement;[254]

[258] S/1999/595.

[259] S/1999/652.

2. *Authorizes* until 31 August 1999 the deployment within the Mission of up to 280 civilian police officers to act as advisers to the Indonesian Police in the discharge of their duties and, at the time of the consultation, to supervise the escorting of ballot papers and boxes to and from the polling sites;

3. *Also authorizes* until 31 August 1999 the deployment within the Mission of fifty military liaison officers to maintain contact with the Indonesian Armed Forces in order to allow the Secretary-General to discharge his responsibilities under the General Agreement and the Security Agreement;

4. *Endorses* the proposal of the Secretary-General that the Mission should also incorporate the following components:

(*a*) A political component responsible for monitoring the fairness of the political environment, for ensuring the freedom of all political and other non-governmental organizations to carry out their activities freely and for monitoring and advising the Special Representative on all matters with political implications;

(*b*) An electoral component responsible for all activities related to registration and voting;

(*c*) An information component responsible for explaining to the East Timorese people, in an objective and impartial manner without prejudice to any position or outcome, the terms of the General Agreement and the proposed autonomy framework, for providing information on the process and procedure of the vote, and for explaining the implications of a vote in favour or against the proposal;

5. *Notes* the intention of the Governments of Indonesia and Portugal to send an equal number of representatives to observe all the operational phases of the consultation process both inside and outside East Timor;

6. *Welcomes* the intention of the Secretary-General to conclude with the Government of Indonesia, as soon as possible, a status-of-mission agreement, and urges the early conclusion of negotiations with a view to the full and timely deployment of the Mission;

7. *Calls upon* all parties to cooperate with the Mission in the implementation of its mandate, and to ensure the security and freedom of movement of its staff in carrying out that mandate in all areas of East Timor;

8. *Approves* the modalities for the implementation of the popular consultation process scheduled for 8 August 1999 as set out in paragraphs 15 to 18 of the report of the Secretary-General of 22 May 1999;[258]

9. *Stresses once again* the responsibility of the Government of Indonesia to maintain peace and security in East Timor, in particular in the present security situation referred to in the report of the Secretary-General, in order to ensure that the popular consultation is carried out in a fair and peaceful way and in an atmosphere free of intimidation, violence or interference from any side and to ensure the safety and security of United Nations and other international staff and observers in East Timor;

10. *Welcomes* in this regard the decision taken by the Government of Indonesia to establish a ministerial team to monitor and ensure the security of the popular consultation in accordance with article 3 of the General Agreement and paragraph 1 of the Security Agreement;

11. *Condemns* all acts of violence from whatever quarter, and calls for an end to such acts and the laying down of arms by all armed groups in East Timor, for the necessary steps to achieve disarmament and for further steps in order to ensure a secure environment devoid of violence or other forms of intimidation, which is a prerequisite for the holding of a free and fair ballot in East Timor;

12. *Requests* all parties to ensure that conditions exist for the comprehensive implementation of the popular consultation, with the full participation of the East Timorese people;

13. *Urges* that every effort be made to make the Commission on Peace and Stability operative, and in particular stresses the need for the Indonesian authorities to provide security and personal protection for members of the Commission in cooperation with the Mission;

14. *Reiterates its request* to the Secretary-General to keep the Security Council closely informed of the situation, and to continue to report to it every fourteen days on the implementation of its resolutions and of the tripartite Agreements and on the security situation in East Timor;

15. *Decides* to remain seized of the matter.

Adopted unanimously at the 4013th meeting.

Decisions

On 15 June 1999, the President of the Security Council addressed the following letter to the Secretary-General:[260]

> "I have the honour to inform you that your letter dated 11 June 1999 concerning your intention to appoint Mr. Alan James Mills, of Australia, to the post of Civilian Police Commissioner of the United Nations Mission in East Timor[261] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 23 June 1999, the President of the Security Council addressed the following letter to the Secretary-General:[262]

> "I have the honour to inform you that your letter dated 21 June 1999 concerning your intention to appoint Brigadier Rezaqui Haider, of Bangladesh, to the post of Chief Military Liaison Officer of the United Nations Mission in East Timor[263] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4019th meeting, on 29 June 1999, the Council decided to invite the representatives of Indonesia and Portugal to participate, without vote, in the discussion of the item entitled:

"The situation in Timor

"Report of the Secretary-General (S/1999/705)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[264]

> "The Security Council has considered the report of the Secretary-General of 22 June 1999 on the question of East Timor.[265]
>
> "The Council notes with understanding the decision of the Secretary-General to postpone for three weeks his determination, which he will base on the main elements identified in his report of 5 May 1999,[252] of whether the necessary security situation exists for the start of the operational phases of the consultation process in accordance with the Agreement between the United Nations and the Governments of Indonesia and Portugal.[254]

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[260] S/1999/680.

[261] S/1999/679.

[262] S/1999/710.

[263] S/1999/709.

[264] S/PRST/1999/20.

[265] S/1999/705.

The Council also endorses his intention not to start the operational phases of the popular consultation until the United Nations Mission in East Timor is fully deployed, and his decision to postpone the ballot date for two weeks.

"The Council emphasizes that a popular consultation of the East Timorese people through a direct, secret and universal ballot represents an historic opportunity to resolve the question of East Timor peacefully. It concurs with the Secretary-General's assessment that this process must be transparent and that all parties must have the opportunity to express themselves freely.

"In this regard, the Council expresses serious concern that the Secretary-General, in his assessment, concludes that the necessary conditions do not yet exist to begin the operational phases of the consultation process, given the security situation throughout much of East Timor and the absence of a 'level playing field'. It is especially concerned that the militias and other armed groups have carried out acts of violence against the local population and exercise an intimidating influence over them, and that these activities continue to constrict political freedom in East Timor, thus jeopardizing the necessary openness of the consultation process. The Council notes the Secretary-General's assessment that while the security situation has severely limited the opportunity for public expression by pro-independence activists, pro-autonomy campaigning has been actively pursued.

"The Council stresses the need for all sides to put an end to all kinds of violence and for utmost restraint before, during and after the consultation. It calls upon the Mission to follow up reports of violent activity by both the pro-integration militias and Falintil (the Armed Forces for the National Liberation of East Timor). In this regard, it expresses grave concern at the attack on the Mission office in Maliana, East Timor, on 29 June 1999. The Council demands that the incident be thoroughly investigated and the perpetrators be brought to justice. The Council also demands that all parties respect the safety and security of Mission personnel. The Council supports the statement of the spokesman for the Secretary-General of 29 June 1999 and requests the Secretary-General to report further.

"The Council welcomes the positive developments identified by the Secretary-General. The Council warmly welcomes the excellent channels of communication between the Mission and the Indonesian authorities, which have been facilitated by the establishment of a high-level Indonesian task force in Dili. The Council warmly welcomes the opening of the DARE II talks in Jakarta with representatives of all sides in East Timor, and the progress towards making the Commission on Peace and Stability operative.

"The Council stresses once again the responsibility of the Government of Indonesia to maintain peace and security in East Timor. The Council emphasizes that all local officials in East Timor must abide by the provisions of the tripartite Agreements,[253, 254, 255] in particular as regards the designated campaign period, the use of public funds for campaign purposes and the need to campaign only in their private capacity, without recourse to the pressure of office.

"The Council is particularly concerned at the situation of internally displaced persons in East Timor and the implications which this may have for the universality of the consultation. It calls upon all concerned to grant full access and freedom of movement to humanitarian organizations for the delivery of humanitarian assistance, to cease immediately activities which may cause further displacement and to allow all internally displaced persons who wish to do so to return home.

"The Council notes that full deployment of the Mission will not be possible before 10 July 1999. It urges the Secretary-General to take all necessary steps to ensure full deployment by that time, and urges all parties to cooperate fully with the Mission. It stresses the importance of allowing complete freedom of movement for the Mission within East Timor in order to carry out its tasks.

"The Council urges the Indonesian Government and the pro-integration and pro-independence groups to continue to enhance cooperation with the Mission, to allow the popular consultation to go ahead in a timely manner.

"The Council will remained seized of the matter."

On 30 June 1999, the President of the Security Council addressed the following letter to the Secretary-General:[266]

"I have the honour to inform you that your letter dated 25 June 1999 concerning the composition of the civilian police component of the United Nations Mission in East Timor[267] has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter."

On 6 July 1999, the President of the Security Council addressed the following letter to the Secretary-General:[268]

"I have the honour to inform you that your letter dated 2 July 1999 concerning the composition of the military liaison component of the United Nations Mission in East Timor[269] has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter."

At its 4031st meeting, on 3 August 1999, the Council considered the item entitled:

"The situation in Timor

"Letter dated 28 July 1999 from the Secretary-General addressed to the President of the Security Council (S/1999/830)".

Resolution 1257 (1999)
of 3 August 1999

The Security Council,

Recalling its previous resolutions on the situation in East Timor, in particular resolution 1246 (1999) of 11 June 1999,

Taking note of the letter dated 28 July 1999 from the Secretary-General to the President of the Security Council[270] which informs the Council of his decision to postpone the popular consultation in East Timor until 30 August 1999 and requests the authorization of a one-month extension to the mandate of the United Nations Mission in East Timor,

1. *Decides* to extend the mandate of the United Nations Mission in East Timor until 30 September 1999;

2. *Decides* to remain seized of the matter.

Adopted unanimously at the 4031st meeting.

Decision

At its 4038th meeting, on 27 August 1999, the Security Council decided to invite the representatives of Australia, Finland, Indonesia, New Zealand, Portugal and the Republic of Korea to participate, without vote, in the discussion of the item entitled:

[266] S/1999/736.
[267] S/1999/735.
[268] S/1999/751.
[269] S/1999/750.
[270] S/1999/830.

"The situation in Timor

"Report of the Secretary-General (S/1999/862)".

Resolution 1262 (1999)
of 27 August 1999

The Security Council,

Recalling its previous resolutions on the situation in East Timor, in particular resolutions 1246 (1999) of 11 June 1999 and 1257 (1999) of 3 August 1999,

Recalling also the Agreement between Indonesia and Portugal of 5 May 1999 on the question of East Timor[253] and the Agreements between the United Nations and the Governments of Indonesia and Portugal of the same date regarding the modalities for the popular consultation of the East Timorese through a direct ballot[255] and security arrangements,[254]

Welcoming the report of the Secretary-General of 9 August 1999,[271]

Taking note of the need for the United Nations to pursue its efforts in East Timor in the period following the ballot to build confidence and support stability and to reassure all groups, in particular those in the minority in the ballot, that they have a role to play in the future political life of East Timor,

Welcoming the proposal of the Secretary-General that the United Nations Mission in East Timor continue its operations in the interim phase between the conclusion of the popular consultation and the start of the implementation of its result and that its tasks and structure be adjusted accordingly,

Commending the Mission for the impartial and effective implementation of its mandate, and welcoming the confirmation in the report of the Secretary-General that the Mission will continue to do its utmost to fulfil its responsibility in this manner,

Welcoming the fruitful cooperation of the Government of Indonesia in East Timor with the United Nations,

1. *Decides* to extend the mandate of the United Nations Mission in East Timor until 30 November 1999, and endorses the proposal of the Secretary-General that in the interim phase the Mission should incorporate the following components:

(*a*) An electoral unit as set out in the report of the Secretary-General;

(*b*) A civilian police component of up to 460 personnel to continue to advise the Indonesian Police and to prepare for the recruitment and training of the new East Timorese police force;

(*c*) A military liaison component of up to 300 personnel as set out in the report of the Secretary-General to undertake the necessary military liaison functions, to continue to be involved in the work of the East Timorese bodies established to promote peace, stability and reconciliation, and to provide advice to the Special Representative for the East Timor Popular Consultation on security matters as required, pursuant to the implementation of the Agreements of 5 May 1999;[253, 254, 255]

(*d*) A civil affairs component to advise the Special Representative for the East Timor Popular Consultation in monitoring the implementation of the Agreements of 5 May 1999, as set out in the report of the Secretary-General;[271]

(*e*) A public information component to provide information on progress made towards implementation of the outcome of the ballot, and to disseminate a message promoting reconciliation, confidence, peace and stability;

[271] S/1999/862.

2. *Calls upon* all parties to cooperate with the Mission in the implementation of its mandate, and to ensure the security and freedom of movement of its staff in carrying out that mandate in all areas of East Timor;

3. *Recalls* the continuing responsibility of Indonesia to maintain peace and security in East Timor in the interim phase;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 4038th meeting.

Decisions

At its 4041st meeting, on 3 September 1999, the Security Council decided to invite the representatives of Indonesia and Portugal to participate, without vote, in the discussion of the item entitled "The situation in East Timor".

At its 4042nd meeting, on 3 September 1999, the Council decided to invite the representatives of Indonesia and Portugal to participate, without vote, in the discussion of the item entitled:

"The situation in East Timor

"Letter dated 3 September 1999 from the Secretary-General addressed to the President of the Security Council (S/1999/944)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[272]

"The Security Council welcomes the successful popular consultation of the East Timorese people on 30 August 1999 and the letter dated 3 September 1999 from the Secretary-General to the President of the Security Council announcing the ballot result.[273] The Council expresses its support for the courage of those who turned out in record numbers to express their views. It regards the popular consultation as an accurate reflection of the views of the East Timorese people.

"The Council pays tribute to the extraordinary work of the Personal Representative of the Secretary-General. It also commends the courage and dedication of the Special Representative for the East Timor Popular Consultation and of the staff of the United Nations Mission in East Timor in organizing and conducting the popular consultation in extremely difficult conditions.

"The Council calls upon all parties, both inside and outside East Timor, to respect the result of the popular consultation. The Council urges the East Timorese people to work together to implement their decision as freely and democratically expressed in the ballot and to cooperate in the building of peace and prosperity in the territory. The Council now looks to the Indonesian Government to take the necessary constitutional steps to implement the result of the ballot, in accordance with the Agreements of 5 May 1999.[253, 254, 255]

"The Council recognizes that the Agreements of 5 May 1999 which led to the popular consultation of the East Timorese people would not have been possible without the timely initiative of the Government of Indonesia and the constructive attitude of the Government of Portugal. It commends the sustained efforts of the Governments of Indonesia and Portugal, through the good offices of the Secretary-General, to find a just, comprehensive and internationally acceptable solution to the question of East Timor, and expresses its appreciation to the Government of Indonesia for its cooperation with the United Nations in the process.

[272] S/PRST/1999/27.

[273] S/1999/944.

"The Council condemns the violence in East Timor which both preceded and followed the ballot of 30 August 1999. It expresses its condolences to the families of United Nations local staff and others so tragically killed. It underlines the need for the result to be implemented in an atmosphere of peace and security without further violence and intimidation. In accordance with its responsibility for maintaining peace and security under the Agreements of 5 May 1999, it is for the Government of Indonesia to take steps to prevent further violence. It also looks to the Government of Indonesia to guarantee the security of Mission personnel and premises. The Council is ready to consider sympathetically any proposal from the Secretary-General to ensure the peaceful implementation of the popular consultation process.

"The Council requests the Secretary-General to report as soon as possible on the implementation of the ballot result, including recommendations on the mandate, size and structure of the United Nations presence in East Timor in the implementation phase (phase III).

"The Council will remain seized of the matter."

On 5 September 1999, the President of the Security Council addressed the following letter to the Secretary-General:[274]

"I have the honour to inform you that the members of the Security Council have agreed to dispatch a mission to discuss with the Government of Indonesia concrete steps to allow the peaceful implementation of the ballot result in East Timor. The Government of Indonesia has welcomed this intention.

"I will keep you informed of the exact modalities of this mission, including its terms of reference and its composition, as soon as they are agreed upon."

On 6 September 1999 the President of the Security Council addressed the following letter to the Secretary-General:[275]

"Further to my letter dated 5 September 1999,[274] I have the honour to inform you that the members of the Security Council have agreed on the terms of reference of the Security Council mission (see annex).

"Following consultations with the members, it has been agreed that the composition of the mission is as follows:

Namibia (Ambassador Martin Andjaba – head of mission)

Malaysia (Ambassador Hasmy Agam)

Netherlands (Minister Alphons Hamer – Presidency of the Security Council)

Slovenia (Ambassador Danilo Türk)

United Kingdom of Great Britain and Northern Ireland
(Ambassador Jeremy Greenstock)

"In view of the urgency of the situation, it is the intention of the mission to depart for Indonesia in the evening of 6 September 1999. To that end, I would be most grateful if the Secretariat could make the necessary arrangements."

[274] S/1999/946.

[275] S/1999/972.

"Annex

"Terms of reference for the presentation of the Security Council mission to the Government of Indonesia

"1. The Security Council commends the sustained efforts of the Government of Indonesia through the good offices of the Secretary-General to find a just, comprehensive and internationally acceptable solution to the question of East Timor. It expresses its appreciation to the Government of Indonesia for its cooperation with the United Nations in this process.

"2. The Council is nevertheless seriously concerned about the deteriorating security situation in East Timor, particularly since the popular consultation. The Council welcomes the undertakings given by the Government of Indonesia that it will fulfil its obligations under the Agreements of 5 May 1999.[253, 254, 255] But the Government's efforts so far have not been able to prevent an intensification of violence in the territory.

"3. The Council is particularly concerned at the campaign of violence against the United Nations Mission in East Timor in recent days. This has meant the closure of all but four of the Mission's regional offices; the Mission's headquarters is now under a virtual state of siege. The Council deplores the murders of local staff members of the Mission and the attack on 4 September 1999 which left an international staff member seriously wounded.

"4. Reflecting the will of the international community, the Council is determined to see the Agreements of 5 May 1999 implemented fully. The people of East Timor have made a clear choice in favour of independence; their will must be respected.

"5. For its part, the United Nations is bringing forward planning for phase III of the transition process. This will be done in consultation with the Government of Indonesia.

"6. The international community is looking forward to working with the Government of Indonesia in bringing East Timor to independence. The Council urges the Government of Indonesia to ensure security and allow the Mission to implement its mandate without hindrance.

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"The mission will explore with the Government of Indonesia whether the Government would find it helpful if the mission were to make the same presentation to representatives of other political parties. The mission will take any opportunity to show its full support for the United Nations Mission in East Timor and its staff."

At its 4043rd meeting, on 11 September 1999, the Council decided to invite the representatives of Angola, Australia, Austria, Belarus, Belgium, Cambodia, Cape Verde, Chile, Cuba, Denmark, Ecuador, Egypt, Finland, Germany, Greece, Guinea-Bissau, India, Indonesia, the Islamic Republic of Iran, Iraq, Ireland, Italy, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Luxembourg, Mozambique, New Zealand, Norway, Pakistan, Papua New Guinea, the Philippines, Portugal, Republic of Korea, Singapore, South Africa, Spain, the Sudan, Sweden, Uruguay and Viet Nam to participate, without vote, in the discussion of the item entitled:

"The situation in East Timor

"Letter dated 8 September 1999 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Security Council (S/1999/955)

"Letter dated 9 September 1999 from the Permanent Representative of Brazil to the United Nations addressed to the President of the Security Council (S/1999/961)".

At its 4045th meeting, on 15 September 1999, the Council decided to invite the representatives of Australia, Finland, Indonesia, Japan, New Zealand and Portugal to participate, without vote, in the discussion of the item entitled:

"The situation in East Timor

"Letter dated 8 September 1999 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Security Council (S/1999/955)

"Letter dated 9 September 1999 from the Permanent Representative of Brazil to the United Nations addressed to the President of the Security Council (S/1999/961)".

Resolution 1264 (1999)
of 15 September 1999

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in East Timor,

Recalling also the Agreement between Indonesia and Portugal of 5 May 1999 on the question of East Timor[253] and the Agreements between the United Nations and the Governments of Indonesia and Portugal, of the same date, regarding the modalities for the popular consultation of the East Timorese through a direct ballot[255] and security arrangements,[254]

Reiterating its welcome for the successful conduct of the popular consultation of the East Timorese people of 30 August 1999, and taking note of its outcome, which it regards as an accurate reflection of the views of the East Timorese people,

Deeply concerned by the deterioration in the security situation in East Timor, and in particular by the continuing violence against and large-scale displacement and relocation of East Timorese civilians,

Deeply concerned also at the attacks on the staff and premises of the United Nations Mission in East Timor, on other officials and on international and national humanitarian personnel,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994,[276]

Appalled by the worsening humanitarian situation in East Timor, particularly as it affects women, children and other vulnerable groups,

Reaffirming the right of refugees and displaced persons to return in safety and security to their homes,

Endorsing the report of the Security Council mission to Jakarta and Dili,[277]

Welcoming the statement by the President of Indonesia on 12 September 1999 in which he expressed the readiness of Indonesia to accept an international peacekeeping force through the United Nations in East Timor,

Welcoming also the letter dated 14 September 1999 from the Minister for Foreign Affairs of Australia to the Secretary-General,[278]

Reaffirming respect for the sovereignty and territorial integrity of Indonesia,

Expressing its concern at reports indicating that systematic, widespread and flagrant violations of international humanitarian and human rights law have been committed in East Timor, and stressing that persons committing such violations bear individual responsibility,

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[276] General Assembly resolution 49/59, annex.

[277] S/1999/976 and Corr.1.

[278] S/1999/975.

Determining that the present situation in East Timor constitutes a threat to peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* all acts of violence in East Timor, calls for their immediate end, and demands that those responsible for such acts be brought to justice;

2. *Emphasizes* the urgent need for coordinated humanitarian assistance and the importance of allowing full, safe and unimpeded access by humanitarian organizations, and calls upon all parties to cooperate with such organizations so as to ensure the protection of civilians at risk, the safe return of refugees and displaced persons and the effective delivery of humanitarian aid;

3. *Authorizes* the establishment of a multinational force under a unified command structure, pursuant to the request of the Government of Indonesia conveyed to the Secretary-General on 12 September 1999, with the following tasks: to restore peace and security in East Timor, to protect and support the United Nations Mission in East Timor in carrying out its tasks and, within force capabilities, to facilitate humanitarian assistance operations, and authorizes the States participating in the multinational force to take all necessary measures to fulfil this mandate;

4. *Welcomes* the expressed commitment of the Government of Indonesia to cooperate with the multinational force in all aspects of the implementation of its mandate, and looks forward to close coordination between the multinational force and the Government of Indonesia;

5. *Underlines* the continuing responsibility of the Government of Indonesia under the Agreements of 5 May 1999,[253, 254, 255] taking into account the mandate of the multinational force set out in paragraph 3 above, to maintain peace and security in East Timor in the interim phase between the conclusion of the popular consultation and the start of the implementation of its result and to guarantee the security of the personnel and premises of the Mission;

6. *Welcomes* the offers by Member States to organize, lead and contribute to the multinational force in East Timor, calls upon Member States to make further contributions of personnel, equipment and other resources, and invites Member States in a position to contribute to inform the leadership of the multinational force and the Secretary-General;

7. *Stresses* that it is the responsibility of the Indonesian authorities to take immediate and effective measures to ensure the safe return of refugees to East Timor;

8. *Notes* that article 6 of the Agreement of 5 May 1999[253] states that the Governments of Indonesia and Portugal and the Secretary-General shall agree on arrangements for a peaceful and orderly transfer of authority in East Timor to the United Nations, and requests the leadership of the multinational force to cooperate closely with the United Nations to assist and support those arrangements;

9. *Stresses* that the expenses for the force will be borne by the participating Member States concerned, and requests the Secretary-General to establish a trust fund through which contributions could be channelled to the States or operations concerned;

10. *Agrees* that the multinational force should collectively be deployed in East Timor until replaced as soon as possible by a United Nations peacekeeping operation, and invites the Secretary-General to make prompt recommendations on a peacekeeping operation to the Security Council;

11. *Invites* the Secretary-General to plan and prepare for a United Nations transitional administration in East Timor, incorporating a United Nations peacekeeping operation, to be deployed in the implementation phase of the popular consultation (phase III) and to make recommendations as soon as possible to the Security Council;

12. *Requests* the leadership of the multinational force to provide periodic reports on progress towards the implementation of its mandate through the Secretary-General to the Council, the first such report to be made within fourteen days of the adoption of the present resolution;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4045th meeting.

Decision

At its 4057th meeting, on 25 October 1999, the Security Council decided to invite the representatives of Australia, Finland, Indonesia, Japan, New Zealand, Norway, Portugal and the Republic of Korea to participate, without vote, in the discussion of the item entitled:

"The situation in East Timor

"Report of the Secretary-General on the situation in East Timor (S/1999/1024)".

Resolution 1272 (1999)
of 25 October 1999

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in East Timor, in particular resolutions 384 (1975) of 22 December 1975, 389 (1976) of 22 April 1976, 1236 (1999) of 7 May 1999, 1246 (1999) of 11 June 1999, 1262 (1999) of 27 August 1999 and 1264 (1999) of 15 September 1999,

Recalling also the Agreement between Indonesia and Portugal of 5 May 1999 on the question of East Timor[253] and the Agreements between the United Nations and the Governments of Indonesia and Portugal of the same date regarding the modalities for the popular consultation of the East Timorese through a direct ballot[255] and security arrangements,[254]

Reiterating its welcome for the successful conduct of the popular consultation of the East Timorese people of 30 August 1999, and taking note of its outcome through which the East Timorese people expressed their clear wish to begin a process of transition under the authority of the United Nations towards independence, which it regards as an accurate reflection of the views of the East Timorese people,

Welcoming the decision of the Indonesian People's Consultative Assembly on 19 October 1999 concerning East Timor,

Stressing the importance of reconciliation among the East Timorese people,

Commending the United Nations Mission in East Timor for the admirable courage and determination shown in the implementation of its mandate,

Welcoming the deployment of a multinational force to East Timor pursuant to resolution 1264 (1999), and recognizing the importance of continued cooperation between the Government of Indonesia and the multinational force in this regard,

Taking note of the report of the Secretary-General of 4 October 1999,[279]

Noting with satisfaction the successful outcome of the trilateral meeting held on 28 September 1999, as outlined in the report of the Secretary-General,

Deeply concerned by the grave humanitarian situation resulting from violence in East Timor and the large-scale displacement and relocation of East Timorese civilians, including large numbers of women and children,

[279] S/1999/1024.

Reaffirming the need for all parties to ensure that the rights of refugees and displaced persons are protected, and that they are able to return voluntarily in safety and security to their homes,

Reaffirming respect for the sovereignty and territorial integrity of Indonesia,

Noting the importance of ensuring the security of the boundaries of East Timor, and noting in this regard the expressed intention of the Indonesian authorities to cooperate with the multinational force deployed pursuant to resolution 1264 (1999) and with a United Nations Transitional Administration in East Timor,

Expressing its concern at reports indicating that systematic, widespread and flagrant violations of international humanitarian and human rights law have been committed in East Timor, stressing that persons committing such violations bear individual responsibility, and calling on all parties to cooperate with investigations into these reports,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994,[276]

Determining that the continuing situation in East Timor constitutes a threat to peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to establish, in accordance with the report of the Secretary-General, a United Nations Transitional Administration in East Timor, which will be endowed with overall responsibility for the administration of East Timor and will be empowered to exercise all legislative and executive authority, including the administration of justice;

2. *Decides also* that the mandate of the Transitional Administration shall consist of the following elements:

(*a*) To provide security and maintain law and order throughout the territory of East Timor;

(*b*) To establish an effective administration;

(*c*) To assist in the development of civil and social services;

(*d*) To ensure the coordination and delivery of humanitarian assistance, rehabilitation and development assistance;

(*e*) To support capacity-building for self-government;

(*f*) To assist in the establishment of conditions for sustainable development;

3. *Decides further* that the Transitional Administration will have objectives and a structure along the lines set out in section IV of the report of the Secretary-General, and in particular that its main components will be:

(*a*) A governance and public administration component, including an international police element with a strength of up to 1,640 officers;

(*b*) A humanitarian assistance and emergency rehabilitation component;

(*c*) A military component, with a strength of up to 8,950 troops and up to 200 military observers;

4. *Authorizes* the Transitional Administration to take all necessary measures to fulfil its mandate;

5. *Recognizes* that, in developing and performing its functions under its mandate, the Transitional Administration will need to draw on the expertise and capacity of Member States, United Nations agencies and other international organizations, including the international financial institutions;

6. *Welcomes* the intention of the Secretary-General to appoint a Special Representative who, as the Transitional Administrator, will be responsible for all aspects of the United Nations work in East Timor and will have the power to enact new laws and regulations and to amend, suspend or repeal existing ones;

7. *Stresses* the importance of cooperation between Indonesia, Portugal and the Transitional Administration in the implementation of the present resolution;

8. *Stresses* the need for the Transitional Administration to consult and cooperate closely with the East Timorese people in order to carry out its mandate effectively with a view to the development of local democratic institutions, including an independent East Timorese human rights institution, and the transfer to these institutions of its administrative and public service functions;

9. *Requests* the Transitional Administration and the multinational force deployed pursuant to resolution 1264 (1999) to cooperate closely with each other, with a view also to the replacement as soon as possible of the multinational force by the military component of the Transitional Administration, as notified by the Secretary-General following consultations with the leadership of the multinational force, taking into account conditions on the ground;

10. *Reiterates* the urgent need for coordinated humanitarian and reconstruction assistance, and calls upon all parties to cooperate with humanitarian and human rights organizations so as to ensure their safety, the protection of civilians, in particular children, the safe return of refugees and displaced persons and the effective delivery of humanitarian aid;

11. *Welcomes* the commitment of the Indonesian authorities to allow the refugees and displaced persons in West Timor and elsewhere in Indonesia to choose whether to return to East Timor, remain where they are or be resettled in other parts of Indonesia, and stresses the importance of allowing full, safe and unimpeded access by humanitarian organizations in carrying out their work;

12. *Stresses* that it is the responsibility of the Indonesian authorities to take immediate and effective measures to ensure the safe return of refugees in West Timor and other parts of Indonesia to East Timor, the security of refugees, and the civilian and humanitarian character of refugee camps and settlements, in particular by curbing the violent and intimidatory activities of the militias there;

13. *Welcomes* the intention of the Secretary-General to establish a trust fund to be available for, inter alia, the rehabilitation of essential infrastructure, including the building of basic institutions, the functioning of public services and utilities, and the salaries of local civil servants;

14. *Encourages* Member States and international agencies and organizations to provide personnel, equipment and other resources to the Transitional Administration as requested by the Secretary-General, including for the building of basic institutions and capacity, and stresses the need for the closest possible coordination of these efforts;

15. *Underlines* the importance of including in the Transitional Administration personnel with appropriate training in international humanitarian, human rights and refugee law, including child and gender-related provisions, negotiation and communication skills, cultural awareness and civilian-military coordination;

16. *Condemns* all violence and acts in support of violence in East Timor, calls for their immediate end, and demands that those responsible for such violence be brought to justice;

17. *Decides* to establish the Transitional Administration for an initial period until 31 January 2001;

18. *Requests* the Secretary-General to keep the Council closely and regularly informed of progress towards the implementation of the present resolution, including, in particular, with regard to the deployment of the Transitional Administration and possible future reductions of its military

component if the situation in East Timor improves, and to submit a report within three months of the date of adoption of this resolution and every six months thereafter;

19. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4057th meeting.

Decisions

On 26 October 1999, the President of the Council addressed the following letter to the Secretary-General:[280]

> "I have the honour to inform you that your letter dated 25 October 1999 concerning your intention to appoint Mr. Sergio Vieira de Mello as your Special Representative and Head of the United Nations Transitional Administration in East Timor[281] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4085th meeting, on 22 December 1999, the Council considered the item entitled "The situation in East Timor".

At the same meeting, the Council decided to extend an invitation, under rule 39 of the provisional rules of procedure of the Council, to the Assistant Secretary-General for Peacekeeping Operations.

THE SITUATION IN SOMALIA

[*Resolutions or decisions on this question were also adopted by the Security Council from 1992 to 1997.*]

Decisions

At its 4010th meeting, on 27 May 1999, the Security Council decided to invite the representative of Italy to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[282]

> "The Security Council expresses its alarm at the serious deterioration in the political, military and humanitarian situation in Somalia and concern at the reports of increasing external interference in Somalia.
>
> "The Council reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia, bearing in mind respect for the sovereignty, territorial integrity and political independence and unity of Somalia, in accordance with the principles of the Charter of the United Nations. It reiterates that full responsibility for achieving national reconciliation and for restoring peace rests with the Somali people.
>
> "The Council expresses its support for the activities of the Standing Committee on Somalia and calls upon all Somali factions to cease all hostilities immediately and to cooperate with the regional and other efforts to achieve peace and reconciliation.

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[280] S/1999/1094.

[281] S/1999/1093.

[282] S/PRST/1999/16.

"The Council is deeply concerned at recent reports of the illicit delivery of weapons and military equipment to Somalia, in violation of the arms embargo imposed by resolution 733 (1992) of 23 January 1992, which could exacerbate the crisis in Somalia and endanger the peace and security of the region as a whole.

"The Council reiterates its call upon States to observe the arms embargo and to refrain from any actions which might exacerbate the situation in Somalia. It further requests Member States having information about violations of the provisions of resolution 733 (1992) to provide this information to the Security Council Committee established pursuant to resolution 751 (1992) of 24 April 1992.

"The Council expresses its deep concern at the humanitarian impact of the long-lasting crisis and, in particular, condemns attacks or acts of violence against civilians, especially women, children and other vulnerable groups, including internally displaced persons. It also condemns attacks on humanitarian workers, in violation of the rules of international law.

"The Council calls upon the Somali factions to cooperate on the basis of the principles of neutrality and non-discrimination with the United Nations agencies and other organizations carrying out humanitarian activities. The Council urges all parties to guarantee the security and the freedom of movement of humanitarian personnel and to ensure unhindered access to those in need of assistance. In this regard, it also commends the existing coordination of all efforts of the international community to meet the humanitarian needs of the Somali people, undertaken by the Somalia Aid Coordination Body, comprising donors, United Nations agencies and non-governmental organizations.

"The Council urges all States to contribute generously to the appeal of the United Nations to ensure continued relief and rehabilitation efforts in all regions of Somalia, including those aimed at the strengthening of civil society.

"The Council welcomes the continuing efforts of the Secretary-General and the United Nations Political Office for Somalia in Nairobi.

"The Council requests the Secretary-General to submit periodic reports on the situation in Somalia.

"The Council will remain seized of the matter."

On 5 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[283]

"I have the honour to inform you that your letter dated 2 November 1999 concerning your decision to continue the activities of the United Nations Political Office for Somalia for the biennium 2000-2001[284] has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter."

At its 4066th meeting, on 12 November 1999, the Council considered the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/1999/882)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[285]

"The Security Council recalls the report of the Secretary-General of 16 August 1999 on the situation in Somalia.[286]

[283] S/1999/1135.

[284] S/1999/1134.

[285] S/PRST/1999/31.

[286] S/1999/882.

"The Council reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia, bearing in mind respect for the sovereignty, territorial integrity and political independence and unity of Somalia, in accordance with the principles of the Charter of the United Nations.

"The Council expresses its grave concern at the increasingly evident effects of the lack of a functioning central government in Somalia. It regrets the fact that most children receive no health care and that two generations have had no access to formal education. It is concerned that some Somali natural resources are being exploited, mainly by foreigners, without regulation and monitoring. It expresses its deep distress over reports that the absence of law and order in the country risks creating a haven for criminals of all kinds.

"The Council welcomes the progress that has been made in the development of a greater uniformity of approach on the part of the international community in addressing the crisis in Somalia. It recognizes that the Standing Committee on Somalia, created a year ago, has been instrumental in monitoring the evolution of the Somali situation and working for a greater coordination of efforts by the various external actors, in order to avoid contrasting influences and to give weight to common actions. It calls for the strengthening of the coordination of these efforts aimed at securing peace and stability in Somalia.

"The Council expresses its full support for the efforts exerted by the Intergovernmental Authority on Development to find a political solution to the crisis in Somalia. In this context, it welcomes the initiative of the President of Djibouti aimed at restoring peace and stability in Somalia, which was outlined in his letter dated 23 September 1999 to the President of the Security Council.[287] It endorses the call made by the President of Djibouti to the warlords to recognize fully and accept the principle that the Somali people are free to exercise their democratic right to choose their own regional and national leaders. The Council looks forward to the finalization of the proposals of the President of Djibouti at the forthcoming summit of the Intergovernmental Authority on Development and stands ready to work with the Intergovernmental Authority and the Standing Committee to help to bring about national unity and the restoration of a national government in Somalia. It calls upon the leaders of the Somali factions and all others concerned to cooperate constructively and in good faith in the efforts to resolve the crisis.

"The Council strongly calls upon all States to observe and improve the effectiveness of the arms embargo imposed by resolution 733 (1992) of 23 January 1992 and to refrain from any actions which might exacerbate the situation in Somalia. It urges Member States having information about violations of the provisions of resolution 733 (1992) to provide this information to the Security Council Committee established pursuant to resolution 751 (1992) of 24 April 1992, with a view to supporting the work of the Committee.

"The Council expresses its grave concern at the continuing deterioration of the humanitarian situation in Somalia. It urges all States to contribute generously to the appeals of the United Nations to ensure continued relief and rehabilitation efforts in all regions of Somalia, including those aimed at the strengthening of civil society. In this context, it encourages enhancement of the operational capacity of humanitarian agencies in Somalia through donor support.

"The Council expresses its appreciation to all United Nations agencies, other organizations and individuals carrying out humanitarian activities in all regions of Somalia. It calls upon the Somali factions to ensure the safety and freedom of movement of all humanitarian personnel and to facilitate the delivery of humanitarian relief. In this context, it strongly condemns attacks and acts of violence against, and the murder of, humanitarian workers in Somalia, and reiterates its position that those responsible for these acts should be brought to justice.

[287] S/1999/1007.

"The Council expresses its satisfaction that despite all the difficulties, approximately half of Somali territory continues to enjoy relative peace. In this context, it notes that local administrations in some parts of the country are beginning to provide some basic services to the people of Somalia.

"The Council welcomes the efforts of civil society in Somalia. It is encouraged by the political initiatives of Somalis, through regional conferences, often organized by traditional leaders and informal cross-clan contacts, to find a peaceful solution to the crisis. In this context, it underlines the active role of Somali women's groups.

"The Council welcomes the continuing efforts of the Secretary-General and the United Nations Political Office for Somalia in Nairobi.

"The Council encourages the Secretary-General to review the role of the United Nations in Somalia, as a prelude to the United Nations playing an enhanced role, aimed at achieving a comprehensive and lasting settlement of the situation in Somalia. This review would include the possible relocation of some United Nations programmes and agencies, as well as the United Nations Political Office, to Somalia. The review should also consider the security situation carefully, as well as the resources that would be necessary to provide a secure environment for United Nations operations in Somalia.

"The Council takes note of the recommendation in the report of the Secretary-General of 16 August 1999 that the international community should consider establishing mechanisms which would allow financial assistance to flow into secure and stable areas of Somalia even before a formal central government and other institutions are re-established, with a view to promoting the sovereignty, territorial integrity and political independence and unity of Somalia.

"The Council will remain seized of the matter."

THE SITUATION IN CYPRUS

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1963.]

Decisions

On 25 June 1999, the President of the Security Council addressed the following letter to the Secretary-General:[288]

"I have the honour to inform you that your letter dated 20 June 1999 concerning your intention to appoint Ms. Ann Hercus as your resident Special Representative and Chief of the United Nations Operation in Cyprus, with effect from 1 July 1999,[289] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 4018th meeting, on 29 June 1999, the Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on the United Nations operation in Cyprus (S/1999/657 and Add.1)

"Report of the Secretary-General on his mission of good offices in Cyprus (S/1999/707)".

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[288] S/1999/723.

[289] S/1999/722.

Resolution 1250 (1999) of 29 June 1999

The Security Council,

Reaffirming all its earlier resolutions on Cyprus, particularly resolution 1218 (1998) of 22 December 1998,

Reiterating its grave concern at the lack of progress towards an overall political settlement on Cyprus,

Appreciating the statement of the heads of State and Government of Canada, France, Germany, Italy, Japan, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America on 20 June 1999 calling for comprehensive negotiations in the autumn of 1999 under the auspices of the Secretary-General,[290]

1. *Expresses its appreciation* for the report of the Secretary-General of 22 June 1999 on his mission of good offices in Cyprus;[291]

2. *Stresses its full support* for the Secretary-General's mission of good offices as decided by the Security Council and, in this context, for the efforts of the Secretary-General and his Special Representative;

3. *Reiterates its endorsement* of the initiative of the Secretary-General announced on 30 September 1998, within the framework of his mission of good offices, with the goal of reducing tensions and promoting progress towards a just and lasting settlement in Cyprus;

4. *Notes* that the discussions between the Special Representative of the Secretary-General and the two sides are continuing, and urges both sides to participate constructively;

5. *Expresses the view* that both sides have legitimate concerns that should be addressed through comprehensive negotiations covering all relevant issues;

6. *Requests* the Secretary-General, in accordance with the relevant Security Council resolutions, to invite the leaders of the two sides to negotiations in the autumn of 1999;

7. *Calls upon* the two leaders, in this context, to give their full support to such a comprehensive negotiation, under the auspices of the Secretary-General, and to commit themselves to the following principles:

- No preconditions;
- All issues on the table;
- Commitment in good faith to continue to negotiate until a settlement is reached;
- Full consideration of relevant United Nations resolutions and treaties;

8. *Requests* the two sides in Cyprus, including military authorities on both sides, to work constructively with the Secretary-General and his Special Representative to create a positive climate on the island that will pave the way for negotiations in the autumn of 1999;

9. *Requests* the Secretary-General to keep the Security Council informed of progress towards the implementation of the present resolution and to submit a report to the Council by 1 December 1999;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4018th meeting.

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[290] See S/1999/711, annex.

[291] S/1999/707.

Resolution 1251 (1999)
of 29 June 1999

The Security Council,

Welcoming the report of the Secretary-General of 8 June 1999 on the United Nations operation in Cyprus,[292]

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions on the island it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 30 June 1999,

Reaffirming all its earlier resolutions on Cyprus, in particular resolutions 1217 (1998) and 1218 (1998), of 22 December 1998,

Calling once more upon all States to respect the sovereignty, independence and territorial integrity of the Republic of Cyprus, and requesting them, along with the parties concerned, to refrain from any action which might prejudice that sovereignty, independence and territorial integrity, as well as from any attempt at partition of the island or its unification with any other country,

Noting that the situation along the ceasefire lines is essentially stable, but expressing its grave concern at the increasing practice by both sides of engaging in provocative behaviour along the ceasefire lines, which heightens the risk of more serious incidents,

Reminding the parties that the package of measures of the Force aimed at reducing tensions along the ceasefire lines was designed to reduce incidents and tensions, without affecting the security of either side,

Reiterating the need to make progress on a comprehensive political solution,

1. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period ending 15 December 1999;

2. *Reminds* both sides of their obligation to prevent any violence directed against Force personnel, to cooperate fully with the Force and to ensure its complete freedom of movement;

3. *Calls upon* the military authorities on both sides to refrain from any action, including acts of provocation in the vicinity of the buffer zone, which would exacerbate tensions;

4. *Requests* the Secretary-General and his Special Representative to continue to work intensively with the two sides with a view to early agreement on further specific tension-reducing steps, with full consideration of its resolution 1218 (1998);

5. *Calls upon* the two sides to take measures that will build trust and cooperation and reduce tensions between them , including demining along the buffer zone;

6. *Urges* the Greek Cypriot side to agree to the implementation of the package of measures of the Force, and encourages the Force to continue its efforts towards the rapid implementation of the package by both sides;

7. *Reiterates its grave concern* at the continuing excessive levels of military forces and armaments in the Republic of Cyprus and the rate at which they are being expanded, upgraded and modernized, including by the introduction of advanced weapon systems by either side, and at the lack of progress towards any significant reduction in the number of foreign troops in the Republic of Cyprus, which threaten to raise tensions both on the island and in the region and complicate efforts to negotiate an overall political settlement;

8. *Calls upon* all concerned to commit themselves to a reduction in defence spending, a reduction in the number of foreign troops in the Republic of Cyprus, and a staged process aimed at

[292] S/1999/657 and Add.1.

limiting and then substantially reducing the level of all troops and armaments in the Republic of Cyprus as a first step towards the withdrawal of non-Cypriot forces as described in the set of ideas,[293] to help to restore confidence between the sides, stresses the importance of eventual demilitarization of the Republic of Cyprus as an objective in the context of an overall comprehensive settlement, welcomes in this context any steps either side may take to reduce armaments and troops, and encourages the Secretary-General to continue to promote efforts in this direction;

9. *Calls upon* both sides to refrain from the threat or use of force or violence as a means to resolve the Cyprus problem;

10. *Reaffirms* that the status quo is unacceptable and that negotiations on a final political solution to the Cyprus problem have been at an impasse for too long;

11. *Reaffirms its position* that a Cyprus settlement must be based on a State of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities as described in the relevant Security Council resolutions, in a bicommunal and bi-zonal federation, and that such a settlement must exclude union in whole or in part with any other country or any form of partition or secession;

12. *Welcomes* the ongoing efforts by the Force to implement its humanitarian mandate in respect of Greek Cypriots and Maronites living in the northern part of the island and Turkish Cypriots living in the southern part, as mentioned in the report of the Secretary-General;

13. *Reiterates its support* for the efforts of the United Nations and others concerned to promote the holding of bicommunal events so as to build cooperation, trust and mutual respect between the two communities, and calls upon the Turkish-Cypriot leadership to resume such activities;

14. *Requests* the Secretary-General to submit a report by 1 December 1999 on the implementation of the present resolution;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4018th meeting.

Decisions

On 11 October 1999, the President of the Security Council addressed the following letter to the Secretary-General:[294]

> "I have the honour to inform you that your letter dated 7 October 1999 concerning your appointment of Mr. James Holger as your Acting Special Representative and Chief of Mission of the United Nations Peacekeeping Force in Cyprus for a period of three months effective 1 October 1999[295] has been brought to the attention of the members of the Security Council. They take note of the appointment."

On 1 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[296]

> "I have the honour to inform you that your letter dated 29 October 1999 concerning your intention to designate Mr. Alvaro de Soto as your Special Adviser on Cyprus at Headquarters as of 1 November 1999 and your wish to appoint him as your Special

[293] S/24472, annex.

[294] S/1999/1044.

[295] S/1999/1043.

[296] S/1999/1112.

Representative, resident in Cyprus, in the course of the spring of 2000[297] has been brought to the attention of the members of the Security Council. They take note of the course of action proposed in your letter."

On 10 December 1999, the President of the Security Council addressed the following letter to the Secretary-General:[298]

"I have the honour to inform you that your letter dated 6 December 1999 concerning your decision to appoint Major General Victory Rana, of Nepal, as the next Commander of the United Nations Peacekeeping Force in Cyprus[299] has been brought to the attention of the members of the Security Council. They take note of the decision contained in the letter."

At its 4082nd meeting, on 15 December 1999, the Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on the United Nations operation in Cyprus (S/1999/1203 and Corr.1 and Add.1)".

Resolution 1283 (1999)
of 15 December 1999

The Security Council,

Welcoming the report of the Secretary-General of 29 November 1999 on the United Nations operation in Cyprus,[300] and in particular the call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness,

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 December 1999,

1. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999;

2. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period ending 15 June 2000;

3. *Requests* the Secretary-General to submit a report by 1 June 2000 on the implementation of the present resolution;

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4082nd meeting.

MAINTENANCE OF PEACE AND SECURITY AND POST-CONFLICT PEACE-BUILDING

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998.*]

Decisions

At its 4020th meeting, on 8 July 1999, the Security Council decided to invite the representatives of Australia, Bangladesh, Croatia, El Salvador, Finland, Guatemala, Indonesia,

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[297] S/1999/1111.

[298] S/1999/1234.

[299] S/1999/1233.

[300] S/1999/1203 and Corr.1 and Add.1.

Japan, Mozambique, New Zealand, the Republic of Korea and South Africa to participate, without vote, in the discussion of the item entitled:

"Maintenance of peace and security and post-conflict peace-building

"Disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment".

At its 4021st meeting, on 8 July 1999, the Council considered the item discussed at the 4020th meeting.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[301]

"The Security Council recalls its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. The Council also recalls the statements made by its President in relation to activities of the United Nations in preventive diplomacy, peacemaking, peacekeeping and post-conflict peace-building.

"The Council has considered the matter of disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment as part of its overall and continuing effort to contribute to enhancing the effectiveness of United Nations peacekeeping and peace-building activities in conflict situations around the world.

"The Council is seriously concerned that in a number of conflicts, armed fighting among various parties or factions continues despite the conclusion of peace agreements by the warring parties and the presence of United Nations peacekeeping missions on the ground. It recognizes that a major contributory factor to such a situation has been the continued availability of large amounts of armaments, in particular small arms and light weapons, to conflicting parties. The Council emphasizes that in order to achieve settlement, parties to a conflict must work towards the successful disarmament, demobilization and reintegration of ex-combatants, including child soldiers whose special needs should be seriously addressed.

"The Council recognizes that disarmament, demobilization and reintegration cannot be seen in isolation, but rather as a continuous process which is rooted in and feeds into a broader search for peace, stability and development. Effective disarmament of ex-combatants represents an important indicator of progress towards post-conflict peace-building and normalization of the situation. The demobilization effort is only possible when there is some level of disarmament and its success can only be achieved when there is effective rehabilitation and reintegration into society of ex-combatants. Disarmament and demobilization must take place in a secure and safe environment, which will give ex-combatants the confidence to lay down their arms. Taking into account the fact that the process is closely linked to economic and social issues, the question must be addressed comprehensively so as to facilitate a smooth transition from peacekeeping to peace-building.

"The Council emphasizes that for disarmament, demobilization and reintegration to be successful, there must be political will and a clear commitment by the parties concerned to achieve peace and stability. At the same time, it is vital that such commitment by the parties be reinforced by political will and consistent, effective and determined support from the international community to guarantee the achievement of sustainable peace, including through its contributions of long-term assistance for development and trade.

"The Council affirms its commitment to the principles of the political independence, sovereignty and territorial integrity of all States in conducting peace-building activities, and the need for States to comply with their obligations under international law. Bearing this in mind, the Council stresses the need for the implementation, with the consent of the parties,

[301] S/PRST/1999/21.

of practical measures to promote the success of the process which, inter alia, may include the following:

"(*a*) The inclusion, as appropriate, within specific peace agreements and, on a case-by-case basis, within United Nations peacekeeping mandates, of clear terms for disarmament, demobilization and reintegration of ex-combatants, including the safe and timely disposal of arms and ammunition;

"(*b*) The establishment by Governments contributing to peacekeeping operations of databases of experts on disarmament, demobilization and reintegration of ex-combatants. In this context, training in disarmament and demobilization could be a useful component of national programmes for the preparation of peacekeeping troops;

"(*c*) The prevention and reduction of the excessive and destabilizing flow, accumulation and illegitimate use of small arms and light weapons. In this context, the relevant Council resolutions and existing United Nations arms embargoes should be strictly implemented.

"The Council is of the view that techniques for executing and coordinating programmes related to the process of disarmament, demobilization and reintegration of ex-combatants and the problems associated with it should be given in-depth consideration. It takes note with appreciation of the efforts by the Secretary-General, United Nations bodies, Member States and international and regional organizations aimed at developing general principles and practical guidelines for disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment.

"The Council underlines the need to address this issue on a regular basis and, in this regard, requests the Secretary-General to submit to the Council, within a period of six months, a report containing his analysis, observations and recommendations, in particular those relating to principles and guidelines as well as practices, experiences and lessons learned to facilitate its further consideration of the matter. The report should pay special attention to the problems of disarmament and demobilization of child soldiers and their reintegration into society.

"The Council will remain seized of the matter."

PROMOTING PEACE AND SECURITY: HUMANITARIAN ASSISTANCE TO REFUGEES IN AFRICA

Decisions

At its 4025th meeting, on 26 July 1999, the Security Council considered the item entitled "Promoting peace and security: humanitarian assistance to refugees in Africa".

At the same meeting, the Council decided to extend an invitation, under rule 39 of the provisional rules of procedure of the Council, to Mrs. Sadako Ogata, United Nations High Commissioner for Refugees.

THE QUESTION CONCERNING HAITI

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.]

Decisions

On 20 August 1999, the President of the Security Council addressed the following letter to the President of the Economic and Social Council:[302]

"I have the honour to acknowledge receipt of your letter dated 31 July 1999[303] concerning the adoption by the Economic and Social Council, at its substantive session of 1999, of resolution 1999/11 of 27 July 1999, concerning the long-term strategy and development programme of support for Haiti, in line with Security Council resolution 1212 (1998) of 25 November 1998.

"In the view of the members of the Security Council, it is essential that, in order to ensure sustainable development in Haiti, the effort of the international community be geared towards supporting the Government of Haiti in addressing the important issues of capacity-building of its governmental institutions.

"The members of the Security Council express the hope that this important contribution of the Economic and Social Council will serve to strengthen the cooperation between the Security Council and the Economic and Social Council as the United Nations attempts to assist the people of Haiti in rebuilding their country."

On 14 September 1999, President of the Security Council addressed the following letter to the Secretary-General:[304]

"I have the honour to inform you that your letter dated 10 September 1999 concerning your intention to appoint Mr. Alfredo Lopes Cabral, of Guinea-Bissau, as your Representative in Haiti and Head of the United Nations Civilian Police Mission in Haiti[305] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter. They also take this opportunity to join you in expressing deep appreciation for the dedication with which Mr. Julian Harston has carried out his duties in Haiti on behalf of the United Nations."

At its 4074th meeting, on 30 November 1999, the Council decided to invite the representatives of Haiti and Venezuela to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

"Report of the Secretary-General on the United Nations Civilian Police Mission in Haiti (S/1999/908)

"Report of the Secretary-General on the United Nations Civilian Police Mission in Haiti (S/1999/1184)".

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[302] S/1999/905.

[303] S/1999/865.

[304] S/1999/970.

[305] S/1999/969.

Resolution 1277 (1999) of 30 November 1999

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1212 (1998) of 25 November 1998, and those adopted by the General Assembly and the Economic and Social Council,

Taking note of the letter dated 8 November 1999 from the President of the Republic of Haiti to the Secretary-General, requesting the establishment of an international civilian support mission in Haiti,[306]

Taking note also of the reports of the Secretary-General of 24 August[307] and 18 November 1999,[308]

Commending the valuable contributions of the Representative of the Secretary-General, the United Nations Civilian Police Mission in Haiti, the International Civilian Mission in Haiti and the technical assistance programmes of the United Nations Development Programme and bilateral donors, in assisting the Government of Haiti by supporting and contributing to the professionalization of the Haitian National Police Force as an integral element of the consolidation of Haiti's system of justice, as well as by their efforts in developing national institutions,

Recognizing that the people and Government of Haiti bear the ultimate responsibility for national reconciliation, the maintenance of a secure and stable environment, the administration of justice and the reconstruction of their country, and that the Government of Haiti bears particular responsibility for the further strengthening and effective functioning of the Haitian National Police Force and the justice system,

1. *Decides* to continue the United Nations Civilian Police Mission in Haiti in order to ensure a phased transition to an International Civilian Support Mission in Haiti by 15 March 2000;

2. *Requests* the Secretary-General to coordinate and expedite the transition from the United Nations Civilian Police Mission in Haiti and the International Civilian Mission in Haiti to the International Civilian Support Mission in Haiti and to report to the Security Council on the implementation of the present resolution by 1 March 2000;

3. *Decides* to remain seized of the matter.

Adopted at the 4074th meeting
by 14 votes to none, with 1 abstention
(Russian Federation).

CHILDREN AND ARMED CONFLICT

[Resolutions or decisions on this question were also adopted by the Security Council in 1998.]

Decisions

At its 4037th meeting, on 25 August 1999, the Security Council decided to invite the representatives of Afghanistan, Algeria, Angola, Bangladesh, Belarus, Bosnia and Herzegovina, Colombia, Costa Rica, Egypt, Finland, Guyana, India, Indonesia, Iraq, Japan, Kenya, Monaco, Mongolia, Mozambique, New Zealand, Norway, the Philippines, Portugal, the Republic of Korea, Rwanda, Slovakia, South Africa, the Sudan, Uganda, Ukraine, the United Republic of Tanzania

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[306] A/54/629, appendix.
[307] S/1999/908.
[308] S/1999/1184.

and Zambia to participate, without vote, in the discussion of the item entitled "Children and armed conflict".

At the same meeting, the Council decided to extend an invitation to the Permanent Observer of Switzerland to the United Nations to participate, without vote, in the discussion of the item.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of the provisional rules of procedure of the Council, to the Special Representative of the Secretary-General for Children and Armed Conflict.

Resolution 1261 (1999)
of 25 August 1999

The Security Council,

Recalling the statements by its President of 29 June 1998,[309] 12 February 1999[310] and 8 July 1999,[311]

Noting recent efforts to bring to an end the use of children as soldiers in violation of international law, in International Labour Organization Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, which prohibits forced or compulsory labour, including the forced or compulsory recruitment of children for use in armed conflict, and in the Rome Statute of the International Criminal Court,[312] in which conscripting or enlisting children under the age of fifteen into national armed forces or using them to participate actively in hostilities is characterized as a war crime,

1. *Expresses its grave concern* at the harmful and widespread impact of armed conflict on children and the long-term consequences this has for durable peace, security and development;

2. *Strongly condemns* the targeting of children in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement, recruitment and use of children in armed conflict in violation of international law, and attacks on objects protected under international law, including places that usually have a significant presence of children, such as schools and hospitals, and calls upon all parties concerned to put an end to such practices;

3. *Calls upon* all parties concerned to comply strictly with their obligations under international law, in particular the Geneva Conventions of 12 August 1949[313] and the obligations applicable to them under the Additional Protocols thereto, of 1977[314] and the United Nations Convention on the Rights of the Child of 1989,[315] and stresses the responsibility of all States to bring an end to impunity, as well as their obligation to prosecute those responsible for grave breaches of the Geneva Conventions of 12 August 1949;

4. *Expresses its support* for the ongoing work of the Special Representative of the Secretary-General for Children and Armed Conflict, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, other parts of the United Nations system and other relevant international organizations dealing with children affected by armed conflict, and requests the Secretary-General to continue to develop coordination and coherence among them;

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[309] S/PRST/1998/18.
[310] S/PRST/1999/6.
[311] S/PRST/1999/21.
[312] A/CONF.183/9.
[313] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[314] Ibid., vol. 1125, Nos. 17512 and 17513.
[315] General Assembly resolution 44/25, annex.

5. *Welcomes and encourages* efforts by all relevant actors at the national and international level to develop more coherent and effective approaches to the issue of children and armed conflict;

6. *Supports* the work of the open-ended inter-sessional working group of the Commission on Human Rights on a draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, and expresses the hope that it will make further progress with a view to finalizing its work;

7. *Urges* all parties to armed conflicts to ensure that the protection, welfare and rights of children are taken into account during peace negotiations and throughout the process of consolidating peace in the aftermath of conflict;

8. *Calls upon* parties to armed conflicts to undertake feasible measures during armed conflicts to minimize the harm suffered by children, such as "days of tranquillity", to allow the delivery of basic necessary services, and further calls upon all parties to armed conflicts to promote, implement and respect such measures;

9. *Urges* all parties to armed conflicts to abide by concrete commitments made to ensure the protection of children in situations of armed conflict;

10. *Also urges* all parties to armed conflicts to take special measures to protect children, in particular girls, from rape and other forms of sexual abuse and gender-based violence in situations of armed conflict and to take into account the special needs of the girl child throughout armed conflicts and their aftermath, including in the delivery of humanitarian assistance;

11. *Calls upon* all parties to armed conflicts to ensure the full, safe and unhindered access of humanitarian personnel and the delivery of humanitarian assistance to all children affected by armed conflict;

12. *Underscores* the importance of the safety, security and freedom of movement of United Nations and associated personnel to the alleviation of the impact of armed conflict on children, and urges all parties to armed conflicts to respect fully the status of United Nations and associated personnel;

13. *Urges* States and all relevant parts of the United Nations system to intensify their efforts to ensure an end to the recruitment and use of children in armed conflict in violation of international law, through political and other efforts, including promotion of the availability of alternatives for children to their participation in armed conflict;

14. *Recognizes* the deleterious impact of the proliferation of arms, in particular small arms, on the security of civilians, including refugees and other vulnerable populations, particularly children, and in this regard recalls resolution 1209 (1998) of 19 November 1998, in which, inter alia, the Council stresses the importance of all Member States, and in particular States involved in manufacturing and marketing of weapons, restricting arms transfers which could provoke or prolong armed conflicts or aggravate existing tensions or armed conflicts, and in which it urges international collaboration in combatting illegal arms flows;

15. *Urges* States and the United Nations system to facilitate the disarmament, demobilization, rehabilitation and reintegration of children used as soldiers in violation of international law, and calls upon in particular the Special Representative of the Secretary-General for Children and Armed Conflict, the United Nations Children's Fund and the Office of the United Nations High Commissioner for Refugees and other relevant agencies of the United Nations system to intensify their efforts in this regard;

16. *Undertakes*, when taking action aimed at promoting peace and security, to give special attention to the protection, welfare and rights of children, and requests the Secretary-General to include in his reports recommendations in this regard;

17. *Reaffirms its readiness* when dealing with situations of armed conflict:

(*a*) To continue to support the provision of humanitarian assistance to civilian populations in distress, taking into account the particular needs of children, including the provision and rehabilitation of medical and educational services to respond to the needs of children, the rehabilitation of children who have been maimed or psychologically traumatized, and child-focussed mine-clearance and mine-awareness programmes;

(*b*) To continue to support the protection of displaced children, including their resettlement by the Office of the High Commissioner and others as appropriate;

(*c*) Whenever adopting measures under Article 41 of the Charter of the United Nations, to give consideration to their impact on children, in order to consider appropriate humanitarian exemptions;

18. *Also reaffirms its readiness* to consider appropriate responses whenever buildings or sites which usually have a significant presence of children are specifically targeted in situations of armed conflict, in violation of international law;

19. *Requests* the Secretary-General to ensure that personnel involved in United Nations peacemaking, peacekeeping and peace-building activities have appropriate training in respect of the protection, rights and welfare of children, and urges States and relevant international and regional organizations to ensure that appropriate training is included in their programmes for personnel involved in similar activities;

20. *Also requests* the Secretary-General to submit to the Council by 31 July 2000 a report on the implementation of the present resolution, consulting all relevant parts of the United Nations system and taking into account other relevant work;

21. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4037th meeting.

THE SITUATION IN AFGHANISTAN

[*Resolutions or decisions on this question were also adopted by the Security Council in 1994, 1996, 1997 and 1998.*]

Decisions

At its 4039th meeting, on 27 August 1999, the Security Council decided to invite the representatives of Afghanistan, Egypt, Finland, India, the Islamic Republic of Iran, Japan, Kazakhstan, Norway, Pakistan, Tajikistan, Turkey, Turkmenistan and Uzbekistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, the Council decided, at the request of the representative of Burkina Faso[116] to extend an invitation to Mr. Mokhtar Lamani, Permanent Observer of the Organization of the Islamic Conference to the United Nations, under rule 39 of the provisional rules of procedure of the Council.

At the same meeting, the Council also decided to extend an invitation to the Under-Secretary-General for Political Affairs, under rule 39 of the provisional rules of procedure.

At its 4051st meeting, on 15 October 1999, the Council decided to invite the representatives of Afghanistan and the Islamic Republic of Iran to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

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[116] Document S/1999/916, incorporated in the record of the 4039th meeting.

Resolution 1267 (1999) of 15 October 1999

The Security Council,

Reaffirming its previous resolutions, in particular resolutions 1189 (1998) of 13 August 1998, 1193 (1998) of 28 August 1998 and 1214 (1998) of 8 December 1998, and the statements by its President on the situation in Afghanistan,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and its respect for Afghanistan's cultural and historical heritage,

Reiterating its deep concern over the continuing violations of international humanitarian law and of human rights, particularly discrimination against women and girls, and over the significant rise in the illicit production of opium, and stressing that the capture by the Taliban of the Consulate-General of the Islamic Republic of Iran and the murder of Iranian diplomats and a journalist in Mazar-e-Sharif constituted flagrant violations of established international law,

Recalling the relevant international counter-terrorism conventions and in particular the obligations of parties to those conventions to extradite or prosecute terrorists,

Strongly condemning the continuing use of Afghan territory, especially areas controlled by the Taliban, for the sheltering and training of terrorists and planning of terrorist acts, and reaffirming its conviction that the suppression of international terrorism is essential for the maintenance of international peace and security,

Deploring the fact that the Taliban continues to provide safe haven to Usama bin Laden and to allow him and others associated with him to operate a network of terrorist training camps from Taliban-controlled territory and to use Afghanistan as a base from which to sponsor international terrorist operations,

Noting the indictment of Usama bin Laden and his associates by the United States of America for, inter alia, the 7 August 1998 bombings of the United States embassies in Nairobi and Dar es Salaam and for conspiring to kill American nationals outside the United States, and noting also the request of the United States to the Taliban to surrender them for trial,[317]

Determining that the failure of the Taliban authorities to respond to the demands in paragraph 13 of resolution 1214 (1998) constitutes a threat to international peace and security,

Stressing its determination to ensure respect for its resolutions,

Acting under Chapter VII of the Charter of the United Nations,

1. *Insists* that the Afghan faction known as the Taliban, which also calls itself the Islamic Emirate of Afghanistan, comply promptly with its previous resolutions and in particular cease the provision of sanctuary and training for international terrorists and their organizations, take appropriate effective measures to ensure that the territory under its control is not used for terrorist installations and camps, or for the preparation or organization of terrorist acts against other States or their citizens, and cooperate with efforts to bring indicted terrorists to justice;

2. *Demands* that the Taliban turn over Usama bin Laden without further delay to appropriate authorities in a country where he has been indicted, or to appropriate authorities in a country where he will be returned to such a country, or to appropriate authorities in a country where he will be arrested and effectively brought to justice;

3. *Decides* that on 14 November 1999 all States shall impose the measures set out in paragraph 4 below, unless the Council has previously decided, on the basis of a report of the Secretary-General, that the Taliban has fully complied with the obligation set out in paragraph 2 above;

[317] See S/1999/1021.

4. *Decides also* that, in order to enforce paragraph 2 above, all States shall:

(*a*) Deny permission for any aircraft to take off from or land in their territory if it is owned, leased or operated by or on behalf of the Taliban as designated by the Committee established by paragraph 6 below, unless the particular flight has been approved in advance by the Committee on the grounds of humanitarian need, including religious obligation such as the performance of the Hajj;

(*b*) Freeze funds and other financial resources, including funds derived or generated from property owned or controlled directly or indirectly by the Taliban, or by any undertaking owned or controlled by the Taliban, as designated by the Committee established by paragraph 6 below, and ensure that neither they nor any other funds or financial resources so designated are made available, by their nationals or by any persons within their territory, to or for the benefit of the Taliban or any undertaking owned or controlled, directly or indirectly, by the Taliban, except as may be authorized by the Committee on a case-by-case basis on the grounds of humanitarian need;

5. *Urges* all States to cooperate with efforts to fulfil the demand in paragraph 2 above, and to consider further measures against Usama bin Laden and his associates;

6. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(*a*) To seek from all States further information regarding the action taken by them with a view to effectively implementing the measures imposed by paragraph 4 above;

(*b*) To consider information brought to its attention by States concerning violations of the measures imposed by paragraph 4 above and to recommend appropriate measures in response thereto;

(*c*) To make periodic reports to the Council on the impact, including the humanitarian implications, of the measures imposed by paragraph 4 above;

(*d*) To make periodic reports to the Council on information submitted to it regarding alleged violations of the measures imposed by paragraph 4 above, identifying where possible persons or entities reported to be engaged in such violations;

(*e*) To designate the aircraft and funds or other financial resources referred to in paragraph 4 above in order to facilitate the implementation of the measures imposed by that paragraph;

(*f*) To consider requests for exemptions from the measures imposed by paragraph 4 above as provided for in that paragraph, and to decide on the granting of an exemption to these measures in respect of the payment by the International Air Transport Association to the aeronautical authority of Afghanistan on behalf of international airlines for air traffic control services;

(*g*) To examine the reports submitted pursuant to paragraph 10 below;

7. *Calls upon* all States to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of coming into force of the measures imposed by paragraph 4 above;

8. *Calls upon* States to bring proceedings against persons and entities within their jurisdiction that violate the measures imposed by paragraph 4 above and to impose appropriate penalties;

9. *Calls upon* all States to cooperate fully with the Committee established by paragraph 6 above in the fulfilment of its tasks, including supplying such information as may be required by the Committee in pursuance of the present resolution;

10. *Requests* all States to report to the Committee established by paragraph 6 above within thirty days of the coming into force of the measures imposed by paragraph 4 above on the steps they have taken with a view to effectively implementing paragraph 4 above;

11. *Requests* the Secretary-General to provide all necessary assistance to the Committee established by paragraph 6 above and to make the necessary arrangements in the Secretariat for this purpose;

12. *Requests* the Committee established by paragraph 6 above to determine appropriate arrangements, on the basis of recommendations of the Secretariat, with competent international organizations, neighbouring and other States, and parties concerned with a view to improving the monitoring of the implementation of the measures imposed by paragraph 4 above;

13. *Requests* the Secretariat to submit for consideration by the Committee established by paragraph 6 above information received from Governments and public sources on possible violations of the measures imposed by paragraph 4 above;

14. *Decides* to terminate the measures imposed by paragraph 4 above once the Secretary-General reports to the Security Council that the Taliban has fulfilled the obligation set out in paragraph 2 above;

15. *Expresses its readiness* to consider the imposition of further measures, in accordance with its responsibility under the Charter of the United Nations, with the aim of achieving the full implementation of the present resolution;

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 4051st meeting.

Decisions

At its 4055th meeting, on 22 October 1999, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

"Report of the Secretary-General (S/1999/994)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[118]

"The Security Council has considered the report of the Secretary-General of 21 September 1999 concerning the situation in Afghanistan and its implications for international peace and security.[119]

"The Council reiterates its grave concern at the continued Afghan conflict, which is a serious and growing threat to regional and international peace and security. It strongly condemns the Taliban for the launching in July 1999, only one week after the meeting of the 'six plus two' group in Tashkent, of a new offensive, despite the repeated demands by the Council to cease fighting. This has undermined international efforts to facilitate the restoration of peace in Afghanistan. The fighting following the offensive has resulted in enormous suffering to the civilian population of Afghanistan. The Taliban has a primary responsibility for this.

"The Council reiterates that there is no military solution to the conflict in Afghanistan and that only a negotiated political settlement aimed at the establishment of a broad-based, multi-ethnic and fully representative government acceptable to all Afghans can lead to peace and reconciliation. It recalls its demand that the parties to the conflict, especially the Taliban,

[118] S/PRST/1999/29.

[119] S/1999/994.

resume negotiations under United Nations auspices without delay and preconditions in full compliance with the relevant resolutions of the General Assembly and the Council. The Council notes that the United Front of Afghanistan has repeatedly made clear that it is willing to talk with the Taliban in order to reach a solution to the country's problems.

"The Council reiterates that outside interference in the internal affairs of Afghanistan, including the involvement of foreign combatants and military personnel and the supply of weapons and other materials used in the conflict, should cease immediately. It calls upon all States to take resolute measures to prohibit their military personnel from planning and participating in combat operations in Afghanistan, and immediately to withdraw their personnel and to assure that the supply of ammunition and other war-making materials is halted. The Council expresses its deep distress over reports indicating the involvement in the fighting in Afghanistan, on the side of the Taliban forces, of thousands of non-Afghan nationals, mostly from religious schools and some of whom are below the age of 14.

"The Council reaffirms its full support for the efforts of the United Nations, in particular the activities of the United Nations Special Mission to Afghanistan and those of the Special Envoy of the Secretary-General for Afghanistan, in facilitating the political process towards the goals of national reconciliation and a lasting political settlement with the participation of all parties to the conflict and all segments of Afghan society, and reiterates its position that the United Nations must continue to play its central and impartial role in international efforts towards a peaceful resolution of the Afghan conflict.

"The Council expresses its grave concern at the seriously deteriorating humanitarian situation in Afghanistan. It calls upon all Afghan parties, and in particular the Taliban, to take the necessary steps to secure the uninterrupted supply of humanitarian aid to all in need of it and in this connection not to create impediments to the activities of the United Nations humanitarian agencies and international humanitarian organizations.

"The Council once again urges all Afghan factions to cooperate fully with the Special Mission and international humanitarian organizations, and calls upon them, in particular the Taliban, to take the necessary steps to ensure the safety and freedom of movement of such personnel.

"The Council welcomes the Tashkent Declaration on Fundamental Principles for a Peaceful Settlement of the Conflict in Afghanistan, adopted by the 'six plus two' group on 19 July 1999,[320] particularly the agreement of members of the group not to provide military support to any Afghan party and to prevent the use of their territories for such purposes. It urges the members of the group and the Afghan factions to implement these principles in support of the efforts of the United Nations towards a peaceful resolution of the Afghan conflict.

"The Council strongly condemns the continuing use of Afghan territory, especially areas controlled by the Taliban, for the sheltering and training of terrorists and planning of terrorist acts, and reaffirms its conviction that the suppression of international terrorism is essential for the maintenance of international peace and security. It insists that the Taliban cease the provision of sanctuary and training for international terrorists and their organizations, take effective measures to ensure that the territory under its control is not used for terrorist installations and camps or for the preparation or organization of terrorist acts against other States or their citizens, and cooperate with efforts to bring indicted terrorists to justice. The Council demands once again that the Taliban turn over indicted terrorist Usama bin Laden to appropriate authorities as set out in its resolution 1267 (1999) of 15 October 1999. It reaffirms its decision to implement on 14 November 1999 the measures contained in that resolution, unless the Secretary-General reports that the Taliban has fully complied with the obligation set out in paragraph 2 of that resolution.

[320] S/1999/812, annex.

"The Council is deeply disturbed also by a significant increase in the cultivation, production and trafficking of drugs in Afghanistan, especially in areas controlled by the Taliban, which will contribute to the war-making capabilities of the Afghans and will have even more serious international consequences. It demands that the Taliban, as well as others, halt all illegal drug activities. The Council calls upon Member States, in particular those neighbouring Afghanistan, and all others concerned to undertake concerted measures to stop the trafficking of illegal drugs from Afghanistan.

"The Council deplores the worsening human rights situation in Afghanistan. It expresses particular alarm at the continuing disregard by the Taliban of the concerns expressed by the international community. The Council underlines the unacceptability of the forced displacement of the civilian population, in particular that conducted by the Taliban during their recent offensive, summary executions, the deliberate abuse and arbitrary detention of civilians, violence and continuing discrimination against women and girls, the separation of men from their families, the use of child soldiers, the widespread burning of crops and destruction of homes, the indiscriminate bombing and other violations of human rights and international humanitarian law in Afghanistan. It calls upon all Afghan parties, especially the Taliban, to put an end to such practices, to adhere to the international norms and standards in this sphere, to take urgent measures to improve the human rights situation and, as an immediate first step, to ensure the protection of civilians.

"The Council reiterates that the capture by the Taliban of the Consulate-General of the Islamic Republic of Iran and the murder of the Iranian diplomats and a journalist in Mazar-e-Sharif constitute flagrant violations of international law. It demands that the Taliban cooperate fully with the United Nations in investigating these crimes with a view to prosecuting those responsible.

"The Council looks forward to the next report of the Secretary-General on the situation in Afghanistan, and encourages him to review options for the Council and the General Assembly.

"The Council deplores the failure of the leadership of the Taliban to take measures to comply with the demands made in its previous resolutions, especially to conclude a ceasefire and to resume negotiations, and in this context reaffirms its readiness to consider the imposition of measures, in accordance with its responsibility under the Charter of the United Nations, with the aim of achieving the full implementation of its relevant resolutions."

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

[Resolutions or decisions on this question were also adopted by the Security Council in 1976, 1979 to 1983, 1985 to 1992 and 1994 to 1998.]

Decisions

On 16 September 1999, the President of the Security Council addressed the following letter to the Secretary-General:[321]

"I have the honour to inform you that your letter dated 10 September 1999 concerning your intention to appoint Mr. Terje Roed-Larsen, of Norway, as United Nations Special Coordinator for the Middle East Peace Process and your Personal Representative to the Palestine Liberation Organization and the Palestinian Authority[322] has been brought to the

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[321] S/1999/984.

[322] S/1999/983.

attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 8 December 1999, the President of the Security Council addressed the following letter to the Secretary-General:[323]

"I have the honour to inform you that your letter dated 9 November 1999 concerning the Office of the United Nations Special Coordinator for the Middle East Peace Process and your Personal Representative to the Palestine Liberation Organization and the Palestinian Authority[324] has been brought to the attention of the members of the Security Council. They take note of your request to the Special Coordinator to reconfigure the existing United Nations office based in Gaza, bearing in mind the resources likely to be required."

THE SITUATION IN AFRICA

[Resolutions or decisions on this question were also adopted by the Security Council in 1997 and 1998.]

Decisions

At its 4047th meeting, on 21 September 1999, the Security Council considered the item entitled:

"The situation in Africa

"Briefing by His Excellency Mr. Frederick J. T. Chiluba, President of the Republic of Zambia".

At its 4049th meeting, on 29 September 1999, the Council decided to invite the representatives of Algeria, Australia, Belgium, Cuba, the Democratic Republic of the Congo, Djibouti, Egypt, Finland, India, Indonesia, Japan, the Libyan Arab Jamahiriya, Malawi, Morocco, Mozambique, Norway, the Philippines, Portugal, the Republic of Korea, Rwanda, Senegal, Slovakia, South Africa, the Sudan, Swaziland, Togo, Ukraine, the United Arab Emirates, the United Republic of Tanzania, Uruguay, Yemen and Zambia to participate, without vote, in the discussion of the item entitled:

"The situation in Africa

"Progress report on the implementation of the recommendations contained in the report on the causes of conflict and the promotion of durable peace and sustainable development in Africa (S/1999/1008)".

In accordance with the understanding reached in the Council's prior consultations, the Council invited Mr. Salim Ahmed Salim, Secretary-General of the Organization of African Unity, to take a seat at the Council table.

Upon resumption of the meeting, on the same day, the Council decided to invite the representatives of the Comoros, Ghana, Nigeria, Pakistan and Uganda to participate, without vote, in the discussion of the item.

Upon resumption of the meeting, on 30 September 1999, the Council decided to invite the representative of Jamaica to participate, without vote, in the discussion of the item.

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[323] S/1999/1227.

[324] S/1999/1226.

On 5 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[325]

> "I have the honour to inform you that your letter dated 2 November 1999 concerning your decision to extend the appointment of Mr. Mohammed Sahnoun as your Adviser on Africa until 31 December 2000[326] has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter."

At its 4081st meeting, on 15 December 1999, the Council decided to invite the representatives of Algeria, the Bahamas, Bangladesh, Belgium, Burundi, Cameroon, Colombia, the Democratic Republic of the Congo, Egypt, Finland, Germany, Ghana, India, Indonesia, Ireland, Italy, Japan, Kenya, the Libyan Arab Jamahiriya, Mozambique, New Zealand, Nigeria, Norway, Portugal, the Republic of Korea, Rwanda, Sierra Leone, South Africa, Spain, Uganda, Ukraine, the United Republic of Tanzania, and Zimbabwe to participate, without vote, in the discussion of the item entitled "The situation in Africa".

Upon resumption of the meeting, on the same day, the Council decided to invite the representatives of Sweden and Zambia to participate, without vote, in the discussion of the item.

SMALL ARMS

Decisions

At its 4048th meeting, on 24 September 1999, the Security Council considered the item entitled "Small arms".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[327]

> "The Security Council recalls its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, in view of which its attention is drawn inevitably to small arms and light weapons as the most frequently used weapons in the majority of recent armed conflicts.
>
> "The Council notes with grave concern that the destabilizing accumulation of small arms has contributed to the intensity and duration of armed conflicts. The Council also notes that the easy availability of small arms can be a contributing factor to undermining peace agreements, complicating peace-building efforts and impeding political, economic and social development. In this regard, the Council acknowledges that the challenge posed by small arms is multifaceted and involves security, humanitarian and development dimensions.
>
> "The Council is deeply concerned that countries involved in, emerging from, or close to protracted armed conflicts are particularly vulnerable to violence resulting from the indiscriminate use of small arms in armed conflict. In this regard, the Council recalls the report of the Secretary-General of 8 September 1999 on the protection of civilians in armed conflict[328] and its resolution 1265 (1999) of 17 September 1999.
>
> "The Council emphasizes that the right of individual and collective self-defence recognized in Article 51 of the Charter and the legitimate security demands of all countries should be fully taken into account. The Council recognizes that small arms are traded globally for legitimate security and commercial considerations. Bearing in mind the

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[325] S/1999/1133.

[326] S/1999/1132.

[327] S/PRST/1999/28.

[328] S/1999/957.

considerable volume of this trade, the Council underlines the vital importance of effective national regulations and controls on small arms transfers. The Council also encourages the Governments of arms-exporting countries to exercise the highest degree of responsibility in these transactions.

"The Council emphasizes that the prevention of illicit trafficking is of immediate concern in the global search for ways and means to curb the wrongful use of small arms, including their use by terrorists.

"The Council welcomes the various initiatives that are currently under way, globally and regionally, to address the issue. These initiatives at the regional level include the moratorium of the Economic Community of West African States on the production and trade in small arms, the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials,[329] the European Union Joint Action on Small Arms,[330] and the European Union Code of Conduct on Arms Exports.[331] At the global level, the Council welcomes the negotiation process on the elaboration of an international convention against transnational organized crime, including a draft protocol against the illicit manufacturing of and trafficking in firearms, ammunition and other related materials.

"The Council emphasizes the importance of regional cooperation in tackling the issue of illicit trafficking in small arms. Initiatives, such as the work done by the Southern African Development Community and the Southern African Regional Police Commissioners Coordinating Organization, illustrate how regional cooperation can be harnessed to tackle small arms proliferation. The Council recognizes that while regions may sometimes benefit from the experiences of others, one region's experience cannot be extended to others without taking into account their different characteristics.

"The Council also welcomes and encourages efforts to prevent and combat the excessive and destabilizing accumulation of and illicit trafficking in small arms, and invites Member States to involve civil society in these efforts.

"The Council notes with satisfaction the growing attention paid within the United Nations system to the problems associated with the destabilizing accumulation of small arms. The Council welcomes the initiative by the Secretary-General for Coordinated Action on Small Arms, designed to ensure a coherent and coordinated approach to the small arms issue within the United Nations system.

"The Council notes that although the humanitarian impact of small arms in a conflict situation is verifiably serious, a detailed analysis is not available. The Council therefore requests the Secretary-General to include specifically the humanitarian and socio-economic implications of the excessive and destabilizing accumulation and transfer of small arms and light weapons, including their illicit production and trade, in relevant studies he is currently undertaking.

"The Council calls for effective implementation of arms embargoes, imposed by the Council in its relevant resolutions. The Council encourages Member States to provide the sanctions committees with available information on alleged violations of arms embargoes and recommends that the chairmen of the sanctions committees invite relevant persons from organs, organizations and committees of the United Nations system, as well as other intergovernmental and regional organizations and other parties concerned, to provide information on issues relating to the implementation and enforcement of arms embargoes.

[329] A/53/78, annex.

[330] See A/54/374, annex.

[331] See Conference on Disarmament document CD/1544.

"The Council also calls for measures to discourage arms flows to countries or regions engaged in or emerging from armed conflicts. The Council encourages Member States to establish and abide by voluntary national or regional moratoria on arms transfers with a view to facilitating the process of reconciliation in these countries or regions. The Council recalls the precedents for such moratoria and the international support extended for their implementation.

"The Council recognizes the importance of incorporating, as appropriate, within specific peace agreements, with the consent of the parties, and on a case-by-case basis within United Nations peacekeeping mandates, clear terms for the disarmament, demobilization and reintegration of ex-combatants, including the safe and timely disposal of arms and ammunition. The Council requests the Secretary-General to provide the negotiators of peace accords with a record of best practice based upon experience in the field.

"The Council requests the Secretary-General to develop a reference manual for use in the field on ecologically safe methods of weapons destruction in order better to enable Member States to ensure the disposal of weapons voluntarily surrendered by civilians or retrieved from former combatants. The Council invites Member States to facilitate the preparation of such a manual.

"The Council welcomes the recommendations of the Group of Governmental Experts on Small Arms,[332] including the convening of an international conference on the illicit arms trade in all its aspects no later than 2001, noting the offer by Switzerland to host the conference. The Council encourages Member States to participate actively and constructively in the conference and any preparatory meetings, taking into account the recommendations contained in this statement, with a view to ensuring that the conference makes a meaningful and lasting contribution to reducing the incidence of illicit arms trafficking."

THE SITUATION IN LIBERIA

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1991.]

Decision

On 15 October 1999, the President of the Security Council addressed the following letter to the Secretary-General:[333]

"I have the honour to inform you that your letter dated 12 October 1999 concerning your intention to extend the mandate of the United Nations Peace-building Support Office in Liberia until the end of December 2000[334] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[332] See A/54/258.

[333] S/1999/1065.

[334] S/1999/1064.

THE RESPONSIBILITY OF THE SECURITY COUNCIL IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

[Resolutions or decisions on this question were also adopted by the Security Council in 1992 and 1998.]

Decision

At its 4053rd meeting, on 19 October 1999, the Security Council considered the item entitled "The responsibility of the Security Council in the maintenance of international peace and security".

Resolution 1269 (1999) of 19 October 1999

The Security Council,

Deeply concerned by the increase in acts of international terrorism which endangers the lives and well-being of individuals worldwide as well as the peace and security of all States,

Condemning all acts of terrorism, irrespective of motive, wherever and by whomever committed,

Mindful of all relevant resolutions of the General Assembly, including resolution 49/60 of 9 December 1994, by which it adopted the Declaration on Measures to Eliminate International Terrorism,

Emphasizing the necessity to intensify the fight against terrorism at the national level and to strengthen, under the auspices of the United Nations, effective international cooperation in this field, on the basis of the principles of the Charter of the United Nations and norms of international law, including respect for international humanitarian law and human rights,

Supporting the efforts to promote universal participation in, and implementation of, the existing international anti-terrorist conventions, as well as to develop new international instruments to counter the terrorist threat,

Commending the work done by the General Assembly, relevant United Nations organs and specialized agencies and regional and other organizations to combat international terrorism,

Determined to contribute, in accordance with the Charter, to the efforts to combat terrorism in all its forms,

Reaffirming that the suppression of acts of international terrorism, including those in which States are involved, is an essential contribution to the maintenance of international peace and security,

1. *Unequivocally condemns* all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed, in particular those which could threaten international peace and security;

2. *Calls upon* all States to implement fully the international anti-terrorist conventions to which they are parties, encourages all States to consider as a matter of priority adhering to those to which they are not parties, and encourages also the speedy adoption of the pending conventions;

3. *Stresses* the vital role of the United Nations in strengthening international cooperation in combatting terrorism, and emphasizes the importance of enhanced coordination among States, international and regional organizations;

4. *Calls upon* all States to take, inter alia, in the context of such cooperation and coordination, appropriate steps:

- To cooperate with each other, particularly through bilateral and multilateral agreements and arrangements, to prevent and suppress terrorist acts, protect their nationals and other persons against terrorist attacks and bring to justice the perpetrators of such acts;

- To prevent and suppress in their territories through all lawful means the preparation and financing of any acts of terrorism;

- To deny those who plan, finance or commit terrorist acts safe havens by ensuring their apprehension and prosecution or extradition;

- To take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not participated in terrorist acts;

- To exchange information in accordance with international and domestic law, and cooperate on administrative and judicial matters in order to prevent the commission of terrorist acts;

5. *Requests* the Secretary-General, in his reports to the General Assembly, in particular those submitted in accordance with its resolution 50/53 of 11 December 1995 on measures to eliminate international terrorism, to pay special attention to the need to prevent and fight the threat to international peace and security as a result of terrorist activities;

6. *Expresses its readiness* to consider relevant provisions of the reports mentioned in paragraph 5 above and to take necessary steps in accordance with its responsibilities under the Charter of the United Nations in order to counter terrorist threats to international peace and security;

7. *Decides* to remain seized of this matter.

Adopted unanimously at the 4053rd meeting.

LETTER DATED 31 MARCH 1998 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF PAPUA NEW GUINEA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

[*Resolutions or decisions on this question were also adopted by the Security Council in 1998.*]

Decision

On 10 November 1999, the President of the Security Council addressed the following letter to the Secretary-General:[335]

> "I have the honour to inform you that your letter dated 28 October 1999 concerning your intention to extend the presence of the United Nations Political Office in Bougainville by a further 12 months[336] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[335] S/1999/1153.

[336] S/1999/1152.

ROLE OF THE SECURITY COUNCIL IN THE PREVENTION OF ARMED CONFLICTS

Decisions

At its 4072nd meeting, on 29 and 30 November 1999, the Security Council decided to invite the representatives of Australia, Bangladesh, Belarus, Croatia, Egypt, Finland, the Islamic Republic of Iran, Iraq, Japan, the Libyan Arab Jamahiriya, Liechtenstein, New Zealand, Nigeria, Norway, Pakistan, the Republic of Korea, Senegal, South Africa, the Sudan, Ukraine, the United Arab Emirates and Zambia to participate, without vote, in the discussion of the item entitled "Role of the Security Council in the prevention of armed conflicts".

At its 4073rd meeting, on 30 November 1999, the Council considered the item discussed at the 4072nd meeting.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[337]

> "The Security Council has considered, within its primary responsibility for the maintenance of international peace and security, its role in the prevention of armed conflicts. The Council emphasizes the need fully to respect and implement the principles and provisions of the Charter of the United Nations and norms of international law, in particular, in this context, those related to prevention of armed conflicts and settlement of disputes by peaceful means. It affirms its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States. The Council also affirms the need for respect for human rights and the rule of law. It will give special attention to the humanitarian consequences of armed conflicts. The Council recognizes the importance of building a culture of prevention of armed conflicts and the need for a contribution from all principal organs of the United Nations in that regard.
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> "The Council stresses the importance of a coordinated international response to economic, social, cultural or humanitarian problems, which are often the root causes of armed conflicts. Recognizing the need for the development of effective long-term strategies, it emphasizes the need for all United Nations organs and agencies to pursue preventive strategies and to take action within their respective areas of competence to assist Member States to eradicate poverty, strengthen development cooperation and assistance and promote respect for human rights and fundamental freedoms.
>
> "The Council recognizes that early warning, preventive diplomacy, preventive deployment, preventive disarmament and post-conflict peace-building are interdependent and complementary components of a comprehensive conflict-prevention strategy. The Council emphasizes its continuing commitment to addressing the prevention of armed conflicts in all regions of the world.
>
> "The Council is aware of the importance of its early consideration of situations which might deteriorate into armed conflicts. In this context it underlines the importance of the settlement of disputes by peaceful means, in accordance with Chapter VI of the Charter of the United Nations. The Council recalls that parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, have an obligation to seek peaceful means of settlement.
>
> "The Council reaffirms its responsibility under the Charter to take action on its own initiative in order to maintain international peace and security. The results of the Council's mission to Jakarta and Dili from 6 to 12 September 1999 demonstrate that such missions undertaken with the consent of the host country and with clear goals can be useful if dispatched in a timely and appropriate manner. The Council expresses its intention to

[337] S/PRST/1999/34.

support, with appropriate follow-up action, efforts by the Secretary-General to prevent conflict through such areas as fact-finding missions, good offices and other activities requiring action by his envoys and Special Representatives.

"The Council emphasizes the important role of the Secretary-General in the prevention of armed conflicts. The Council expresses its readiness to consider appropriate preventive action in response to the matters brought to its attention by States or the Secretary-General and which it deems likely to threaten international peace and security. It invites the Secretary-General to present to the members of the Council periodic reports on such disputes, including, as appropriate, early warnings and proposals for preventive measures. In this regard the Council encourages the Secretary-General to improve further his capacity to identify potential threats to international peace and security and invites him to indicate any requirements to fulfil that capacity, including the development of the expertise and resources of the Secretariat.

"The Council recalls that the United Nations Preventive Deployment Force, as the first United Nations preventive deployment mission, has prevented the spillover of conflict and tensions from the region to the host country. The Council will continue to consider the establishment of such preventive missions in appropriate circumstances.

"The Council will also consider other preventive measures such as the establishment of demilitarized zones and preventive disarmament. While fully conscious of the responsibilities of other United Nations organs, it emphasizes the crucial importance of disarmament and the non-proliferation of weapons of mass destruction and the means of their delivery for the maintenance of international peace and security. In particular, progress in preventing and combatting the excessive and destabilizing accumulation of and illicit trafficking in small arms and light weapons is of vital importance to the prevention of armed conflicts. The Council will also take appropriate measures in situations of post-conflict peace-building aimed at preventing the recurrence of armed conflicts, including through adequate programmes for the disarmament, demobilization and reintegration of ex-combatants. The Council acknowledges the increasingly important role of the civilian components of multifunctional peacekeeping operations and will look towards their playing a greater role in wider preventive efforts.

"The Council recalls the provisions of Article 39 of the Charter concerning measures to prevent armed conflicts. Such measures may include targeted sanctions, in particular arms embargoes and other enforcement measures. In imposing such measures the Council will pay special attention to their likely effectiveness in achieving clearly defined objectives, while avoiding negative humanitarian consequences as much as possible.

"The Council recognizes the link between the prevention of armed conflicts, the facilitation of the peaceful settlement of disputes and the promotion of security for the civilian population, in particular the protection of human life. Furthermore, the Council underlines the fact that the existing international criminal tribunals represent useful instruments to combat impunity and can, by helping to deter crimes against humanity, contribute to the prevention of armed conflicts. In this context, the Council acknowledges the historic significance of the adoption of the Rome Statute of the International Criminal Court.[338]

"The Council recognizes the important role that regional organizations and arrangements are playing in the prevention of armed conflicts, including through the development of confidence- and security-building measures. The Council also emphasizes the importance of supporting and improving regional capacities for early warning. It emphasizes the importance of cooperation between the United Nations and regional organizations in preventive activities in accordance with Chapter VIII of the Charter. The

[338] A/CONF.183/9.

Council welcomes meetings between the United Nations, including the Security Council, and regional organizations, and encourages participants to continue to keep those meetings focused on issues related to prevention of armed conflicts.

"The Council will continue to review its activities and strategies for the prevention of armed conflicts. It will consider the possibility of holding further orientation debates and strengthening its cooperation with the Economic and Social Council. The Council will also consider the possibility of a meeting at the level of Ministers for Foreign Affairs on the issue of prevention of armed conflicts during the Millennium Assembly.

"The Council will remain seized of the matter."

THE SITUATION IN THE GREAT LAKES REGION

[Resolutions or decisions on this question were also adopted by the Security Council in 1996 and 1998.]

Decision

On 30 December 1999, the President of the Security Council addressed the following letter to the Secretary-General:[339]

"I have the honour to inform you that your letter dated 29 December 1999[340] concerning your decision to appoint Mr. Berhanu Dinka as your Special Representative for the Great Lakes Region has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter."

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[339] S/1999/1297.

[340] S/1999/1296.

Part II. Other matters considered by the Security Council

SECURITY COUNCIL WORKING METHODS AND PROCEDURE

Decisions

On 5 January 1999, the President of the Security Council issued the following note:[341]

"1. Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998,[342] and following consultations among the members of the Council under the no-objection procedure, the members of the Council agreed to elect the Chairmen and Vice-Chairmen of the following Sanctions Committees for a period running until 31 December 1999:

Security Council Committee established pursuant to resolution 661 (1990) concerning the situation between Iraq and Kuwait

Chairman: Peter van Walsum (Netherlands)
Vice-Chairmen: Argentina and Gabon

Security Council Committee established pursuant to resolution 748 (1992) concerning the Libyan Arab Jamahiriya

Chairman: Danilo Türk (Slovenia)
Vice-Chairmen: Brazil and Gabon

Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Chairman: Jassim Mohammed Buallay (Bahrain)
Vice-Chairmen: Gambia and Netherlands

Security Council Committee established pursuant to resolution 864 (1993) concerning Angola

Chairman: Robert R. Fowler (Canada)
Vice-Chairmen: Argentina and Malaysia

Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda

Chairman: Hasmy Agam (Malaysia)
Vice-Chairmen: Bahrain and Canada

Security Council Committee established pursuant to resolution 985 (1995) concerning Liberia

Chairman: Martin Andjaba (Namibia)
Vice-Chairmen: Canada and Malaysia

Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

Chairman: Fernando Enrique Petrella (Argentina)
Vice-Chairmen: Bahrain and Namibia

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[341] S/1999/8.

[342] S/1998/1016.

Security Council Committee established pursuant to resolution 1160 (1998)

Chairman: Celso L. N. Amorim (Brazil)
Vice-Chairmen: Gambia and Netherlands

"2. The Bureau of each of the above-mentioned sanctions committees will be composed as above for a term ending on 31 December 1999."

On 29 January 1999, the President of the Security Council issued the following note:[143]

"1. The President of the Security Council wishes to state that all members of the Security Council have indicated their agreement that the following practical proposals will be used to improve the work of the sanctions committees in accordance with the resolutions concerned.

"1. The sanctions committees should establish appropriate arrangements and channels of communication with organs, organizations and bodies of the United Nations system, as well as other intergovernmental and regional organizations, neighbouring countries and other countries and parties concerned, in order to improve the monitoring of the implementation of sanctions regimes and the assessment of their humanitarian consequences on the population of the target State and their economic consequences on neighbouring and other States.

"2. The chairpersons of the sanctions committees should make visits to the regions concerned, as appropriate, in order to obtain first-hand accounts of the impact of sanctions regimes and the results and difficulties in their implementation.

"3. Member States should provide the sanctions committees with all information available on alleged violations of arms embargoes, and other sanctions regimes. Sanctions committees should seek to clarify all cases of alleged violations.

"4. The Secretariat should be requested to provide the sanctions committees with information from published sources, radio, television or other media concerning alleged violations of the sanctions regimes or other issues relevant to the activities of the committees.

"5. The guidelines of the sanctions committees should include clear provisions for strict action to be taken by the committees on alleged violations of the sanctions regimes.

"6. The sanctions committees should, as far as possible, harmonize their guidelines and routines of work.

"7. The technical effectiveness of the mandatory measures should be periodically assessed by the sanctions committees on the basis of inputs from Member States, reports prepared by the Secretariat and other available sources of information.

"8. The practice of hearing technical presentations of information by organizations assisting in the enforcement of Security Council sanctions during closed meetings of the sanctions committees should be continued. The target or affected countries, as well as concerned organizations, should be better able to exercise the right of explaining or presenting their points of view to the sanctions committees, while taking fully into consideration current committee practices. The presentations should be expert and comprehensive.

"9. The Secretariat should be requested to provide, whenever necessary, its assessment of the humanitarian and economic impact of sanctions to the sanctions committees.

[143] S/1999/92.

"10. Periodic meetings of the sanctions committees should be held for discussions on the humanitarian and economic impact of sanctions.

"11. The sanctions committees should monitor, throughout the sanctions regime, the humanitarian impact of sanctions on vulnerable groups, including children, and make required adjustments of the exemption mechanisms to facilitate the delivery of humanitarian assistance. The indicators for assessment developed by the Secretariat could be used by the committees.

"12. The sanctions committees should consider and monitor the possible impact of sanctions on the diplomatic efforts towards implementing Security Council resolutions and make required adjustments on the exemption mechanisms as appropriate.

"13. In discharging their mandates, the sanctions committees should as much as possible seek to utilize the expertise and practical assistance of Member States, United Nations agencies, regional organizations and all humanitarian and other relevant organizations.

"14. United Nations agencies as well as humanitarian organizations and other relevant organizations should benefit from special, simplified procedures in requesting humanitarian exemptions, in order to facilitate the implementation of their humanitarian programmes.

"15. Consideration should be given to how humanitarian organizations could have the possibility to apply for humanitarian exemptions directly to the sanctions committees.

"16. Foodstuffs, pharmaceuticals and medical supplies should be exempted from United Nations sanctions regimes. Basic or standard medical and agricultural equipment and basic or standard educational items should also be exempted. Consideration should be given to the drawing up of lists for that purpose. Other essential humanitarian goods should be considered for exemption. In this regard, it is recognized that efforts should be made to allow the population of the targeted countries to have access to appropriate resources and procedures for financing humanitarian imports.

"17. Sanctions committees should consider ways to ensure that exemptions to sanctions regimes on religious grounds are made more effective.

"18. The transparency of the sanctions committees' work should be increased, inter alia, through substantive and detailed briefings by the chairpersons.

"19. Summary records of the formal meetings of the sanctions committees should be made available promptly.

"20. Public information on the work of the sanctions committees should be made available on the Internet and other means of communication.

"II. The members of the Council will continue their consideration of ways to improve the work of the sanctions committees."

On 30 January 1999, the President of the Security Council issued the following note:[344]

"1. In accordance with the primary responsibility of the Security Council, under the Charter of the United Nations, for the maintenance of international peace and security, and emphasizing the importance of comprehensive compliance with all relevant resolutions, the Council continues to discuss options which would lead to the full implementation of all relevant Council resolutions regarding Iraq. While pursuing these discussions, the Council has decided that it would be useful to establish three separate panels and to receive recommendations from them no later than 15 April 1999.

[344] S/1999/100.

"2. The Council invites its current President Mr. Celso L. N. Amorim, of Brazil, to chair each of the panels. In an effort to maintain continuity, his chairmanship would run beyond his current tenure as President.

"3. The Chairman would maintain close liaison with the Secretary-General and the President on the composition and work of the panels. The Chairman, in consultation with panel participants and members of the Council, would adopt appropriate working methods and plans of work. The Chairman could invite a variety of views, and experts, including those from United Nations agencies in the field, to participate in the work of the panels and could authorize such travel, to obtain information concerning the situation on the ground in Iraq, as he deems appropriate in order to provide the Council with the best possible advice.

"4. The first panel, on disarmament and current and future ongoing monitoring and verification issues, would involve the participation and expertise from the United Nations Special Commission, the International Atomic Energy Agency, the Secretariat, and any other relevant expertise. The panel would assess all the existing and relevant information available, including data from ongoing monitoring and verification, relating to the state of disarmament in Iraq. The panel would make recommendations to the Council, taking into account relevant Council resolutions, on how to re-establish an effective disarmament/ongoing monitoring and verification regime in Iraq.

"5. The second panel, on humanitarian issues, would involve the participation and expertise from the Office of the Iraq Programme, the secretariat of the Committee established pursuant to resolution 661 (1990), and the United Nations Secretariat. This panel would assess the current humanitarian situation in Iraq and make recommendations to the Council regarding measures to improve the humanitarian situation in Iraq.

"6. The third panel, on prisoners of war and Kuwaiti property, including archives, would involve the participation and expertise from the Secretariat and any other relevant expertise. The panel would make an assessment, in consultation with relevant experts, of Iraqi compliance relating to prisoners of war, Kuwaiti property, including archives, as stipulated by Council resolutions. The panel would make recommendations to the Council with regard to these matters."

On 17 February 1999, the President of the Security Council issued the following note:[345]

"It is important that all members of the Security Council be allowed to participate fully in the preparation of the resolutions of the Council and statements by the President of the Council. Contributions by members of groups of friends and other similar arrangements, which, inter alia, aim at helping to promote the settlement of particular crisis situations, are welcome. The drafting of resolutions and statements by the President should be carried out in a manner that will allow adequate participation of all members of the Council. While the need is recognized for the Council, in many instances, to adopt its decisions expeditiously, sufficient time should be allowed for consultations of all members of the Council and for their own consideration of the drafts, prior to action by the Council on specific items."

On 16 June 1999, the President of the Security Council issued the following note:[346]

"Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998[342] and further to the note by the President dated 5 January 1999,[341] following consultations among the members of the Council under the no-objection procedure, the members of the Council agreed to elect Mr. Gelson Fonseca Jr. as Chairman of the Security Council Committee established pursuant to resolution 1160 (1998), to succeed Mr. Celso L. N. Amorim, for a term ending on 31 December 1999."

[345] S/1999/165.

[346] S/1999/685.

On 11 November 1999, the President of the Security Council issued the following note:[347]

"1. The President of the Security Council wishes to recall that by paragraph 22 of its resolution 1265 (1999) of 17 September 1999, in connection with the item entitled, "Protection of civilians in armed conflict", the Council decided to establish immediately an appropriate mechanism to review further the recommendations contained in the report of the Secretary-General[348] and to consider appropriate steps by April 2000 in accordance with its responsibilities under the Charter of the United Nations.

"2. Pursuant to the aforementioned decision, an informal working group of the Council, consisting of the fifteen members at the level of experts, to be chaired by the delegation of Canada, has been established for a period of six months, following consultations of the whole of the Council.

"3. The members of the Council request the Secretariat to provide the informal working group with interpretation in the six working languages of the Council."

On 30 December 1999, the President of the Security Council issued the following note:[349]

"1. The members of the Security Council recall the statement by the President of the Council of 16 December 1994, on an increased recourse to open meetings,[350] and also the note by the President of 30 October 1998[342] in which the members agreed that the Secretary-General was to be encouraged to make statements to the Council, when he deemed it appropriate, in public meetings of the Council. The members of the Council also welcome recent steps that have been taken by the Council to hold briefings by members of the Secretariat in Council meetings. Restating their view that there should be an increased recourse to public meetings, the members of the Council have agreed that they should make every effort to determine which matters, including situations involving specific countries, could usefully be considered in public meetings of the Council, in particular at an early stage in its consideration of a subject.

"2. The members of the Council recall the note by the President of the Council of 30 June 1993,[351] in which it was agreed that the Council should keep under due consideration new ways to provide information to States that are not members of the Council, so as to enhance its practice in that respect. The members of the Council have agreed that henceforth, in the absence of agreement to the contrary, the President should make draft resolutions and draft presidential statements available to States that are not members of the Council as soon as they are introduced within informal consultations of the whole. The availability of draft resolutions in blue in accordance with the note of 28 February 1994[352] will remain unaffected. The members of the Council reiterate the note by the President of 17 February 1999,[345] in which it was stressed that the drafting of resolutions and statements by the President should be carried out in a manner that would allow adequate participation of all members of the Council.

"3. The members of the Council have noted the importance of the practice of the presidency of briefing States that are not members of the Council. They agree that such briefings should be substantive and detailed and should cover elements presented by the President to the press. They also agree that such briefings should take place shortly after informal consultations of the whole. Whenever possible, interpretation should be provided for these briefings. The members encourage the President, at those briefings or as soon

[347] S/1999/1160.
[348] S/1999/957.
[349] S/1999/1291.
[350] S/PRST/1994/81.
[351] S/26015.
[352] S/1994/230.

thereafter as practicable, to continue to make available to States that are not members of the Council copies of statements that he makes to the media following informal consultations.

"4. Recalling the statement by the President of 28 March 1996[353] and the note by the President of 30 October 1998,[342] and taking note of paragraphs 54 and 55 of the report of the Special Committee on Peacekeeping Operations,[354] the members of the Council encourage the Secretary-General to make the briefing notes on field operations distributed to the members of the Council available, in a timely manner, to States non-members of the Council.

"5. In an effort further to advance the resolution of a matter under consideration, the members of the Council have agreed to use a range of meeting options from which they can select the one best suited to facilitate specific discussions. Recognizing that the provisional rules of procedure of the Council and their own practice provide them with considerable flexibility in choosing how best to structure their meetings, members of the Council have agreed that meetings of the Council could be structured according to, but not limited to, the following formats:

"(*a*) Public meetings:

"(i) To adopt Council action, at which Member States that are not members of the Council participate pursuant to the Charter of the United Nations;

"(ii) To hold, inter alia, briefings, thematic debates and orientation debates, at which Member States that are not members of the Council participate pursuant to the Charter;

"(*b*) Private meetings:

"(i) To hold briefings or other debates, which any interested Member State may attend;

"(ii) To allow certain Member States whose interests the Council considers are specially affected by the matter under consideration, such as parties to a conflict, to attend;

"(iii) To permit the transaction of Council business which only members of the Council attend, e.g., appointment of the Secretary-General.

"6. The members of the Council will continue their consideration of other initiatives concerning the Council's documentation and other procedural questions."

ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

A. Application of the Republic of Kiribati

Decisions

At its 3995th meeting, on 4 May 1999, the Security Council, following the adoption of its agenda, decided to refer the application of the Republic of Kiribati for membership in the United Nations[355] to the Committee on the Admission of New Members for examination and report, as provided for in rule 59 of the provisional rules of procedure of the Council.

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[353] S/PRST/1996/13.

[354] A/54/87.

[355] S/1999/477.

At its 4016th meeting, on 25 June 1999, the Council discussed the report of the Committee on the Admission of New Members concerning the application of the Republic of Kiribati for admission to membership in the United Nations.[356]

Resolution 1248 (1999)
of 25 June 1999

The Security Council,

Having examined the application of the Republic of Kiribati for admission to the United Nations,[355]

Recommends to the General Assembly that the Republic of Kiribati be admitted to membership in the United Nations.

Adopted without a vote at the 4016th meeting.

Decision

At the 4016th meeting, also, following the adoption of resolution 1248 (1999), the President of the Security Council made the following statement on behalf of the members of the Council:[357]

"On behalf of the members of the Security Council, I wish to extend my congratulations to the Republic of Kiribati on this historic occasion.

"The Council notes with great satisfaction the Republic of Kiribati's solemn commitment to uphold the purposes and principles of the Charter of the United Nations and to fulfil all the obligations contained therein. We look forward to the day in the near future when the Republic of Kiribati will join us as a Member of the United Nations and to working closely with its representatives."

B. Application of the Republic of Nauru

Decisions

At its 3996th meeting, on 4 May 1999, the Security Council, following the adoption of its agenda, decided to refer the application of the Republic of Nauru for membership in the United Nations[358] to the Committee on the Admission of New Members for examination and report, as provided for in rule 59 of the provisional rules of procedure of the Council.

At its 4017th meeting, on 25 June 1999, the Council discussed the report of the Committee on the Admission of New Members concerning the application of the Republic of Nauru for admission to membership in the United Nations.[359]

Resolution 1249 (1999)
of 25 June 1999

The Security Council,

Having examined the application of the Republic of Nauru for admission to the United Nations,[358]

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[356] S/1999/715.
[357] S/PRST/1999/18.
[358] S/1999/478.
[359] S/1999/716.

Recommends to the General Assembly that the Republic of Nauru be admitted to membership in the United Nations.

Adopted at the 4017th meeting by 14 votes to none, with 1 abstention (China).

Decision

At the 4017th meeting, also, following the adoption of resolution 1249 (1999), the President of the Security Council made the following statement on behalf of the members of the Council:[360]

"On behalf of the members of the Security Council, I wish to extend my congratulations to the Republic of Nauru on this historic occasion.

"The Council notes with great satisfaction the Republic of Nauru's solemn commitment to uphold the purposes and principles of the Charter of the United Nations and to fulfil all the obligations contained therein. We look forward to the day in the near future when the Republic of Nauru will join us as a Member of the United Nations and to working closely with its representatives."

C. Application of the Kingdom of Tonga

Decisions

At its 4024th meeting, on 22 July 1999, the Security Council, following the adoption of its agenda, decided to refer the application of the Kingdom of Tonga for membership in the United Nations[361] to the Committee on the Admission of New Members for examination and report, as provided for in rule 59 of the provisional rules of procedure of the Council.

At its 4026th meeting, on 28 July 1999, the Council discussed the report of the Committee on the Admission of New Members concerning the application of the Kingdom of Tonga for admission to membership in the United Nations.[362]

Resolution 1253 (1999)
of 28 July 1999

The Security Council,

Having examined the application of the Kingdom of Tonga for admission to the United Nations,[361]

Recommends to the General Assembly that the Kingdom of Tonga be admitted to membership in the United Nations.

Adopted without a vote at the 4026th meeting.

Decision

At the 4026th meeting, also, following the adoption of resolution 1253 (1999), the President of the Security Council made the following statement on behalf of the members of the Council:[363]

"The Security Council has decided to recommend to the General Assembly that the Kingdom of Tonga be admitted as a Member of the United Nations. On behalf of the

[360] S/PRST/1999/19.
[361] S/1999/793.
[362] S/1999/823.
[363] S/PRST/1999/23.

members of the Council, I wish to extend my congratulations to the Kingdom of Tonga on this historic occasion.

"The Council notes with great satisfaction the Kingdom of Tonga's solemn commitment to uphold the purposes and principles of the Charter of the United Nations and to fulfil all the obligations contained therein.

"We look forward to the day in the near future when the Kingdom of Tonga will join us as a Member of the United Nations and to working closely with its representatives."

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES

Decision

At its 4033rd meeting, on 11 August 1999, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States

"Appointment of the Prosecutor".

Resolution 1259 (1999) of 11 August 1999

The Security Council,

Recalling its resolutions 808 (1993) of 22 February 1993, 827 (1993) of 25 May 1993, 936 (1994) of 8 July 1994, 955 (1994) of 8 November 1994 and 1047 (1996) of 29 February 1996,

Noting with regret the resignation of Mrs. Louise Arbour taking effect on 15 September 1999,

Having regard to article 16, paragraph 4, of the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[364] and article 15 of the statute of the International Tribunal for Rwanda,[365]

Having considered the nomination by the Secretary-General of Ms. Carla Del Ponte for the position of Prosecutor of the above-mentioned Tribunals,

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[364] S/25704.

[365] Resolution 955 (1994), annex.

Appoints Ms. Carla Del Ponte as Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia and the International Tribunal for Rwanda with effect from the date on which the resignation of Mrs. Louise Arbour takes effect.

Adopted unanimously at the 4033rd meeting.

Decision

At its 4063rd meeting, on 10 November 1999, the Security Council decided to invite the representative of Rwanda to participate, without vote, in the discussion of the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States".

At the same meeting, the Council decided to extend an invitation, under rule 39 of the provisional rules of procedure of the Council, to the Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia and of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States.

CONSIDERATION OF THE DRAFT REPORT OF THE SECURITY COUNCIL TO THE GENERAL ASSEMBLY

Decision

At its 4040th meeting, on 2 September 1999, the Security Council considered the item entitled "Consideration of the draft report of the Security Council to the General Assembly".

The decision of the Council was reflected in the following note by the President:[169]

"At its 4040th meeting, held on 2 September 1999, the Council considered its draft report to the General Assembly covering the period from 16 June 1998 to 15 June 1999. The Security Council adopted the draft report without a vote."

[169] S/1999/933.

THE INTERNATIONAL COURT OF JUSTICE

[Resolutions or decisions on this question were also adopted by the Council in 1946, 1948, 1949, 1951, 1953, 1954, 1956 to 1960, 1963, 1965, 1966, 1969, 1972, 1975, 1978, 1980, 1981, 1982, 1984, 1985, 1987, 1989, 1990, 1991 and 1993 to 1996.]

A. Election of five members of the International Court of Justice

Decisions

On 3 November 1999, the Security Council at its 4059th meeting, and the General Assembly, at its 45th plenary meeting of its fifty-fourth session, elected five members of the International Court of Justice to fill the vacancies occurring on the expiration of the terms of office of the following judges:

Mr. Gilbert Guillaume (France)
Ms. Rosalyn Higgins (United Kingdom of Great Britain and Northern Ireland)
Mr. Gonzalo Parra-Aranguren (Venezuela)
Mr. Raymond Ranjeva (Madagascar)
Mr. Christopher G. Weeramantry (Sri Lanka)

The following persons were elected as members of the International Court of Justice for a term of office beginning on 6 February 2000:

Mr. Awn Shawkat Al-Khasawneh (Jordan)
Mr. Gilbert Guillaume (France)
Ms. Rosalyn Higgins (United Kingdom of Great Britain and Northern Ireland)
Mr. Gonzalo Parra-Aranguren (Venezuela)
Mr. Raymond Ranjeva (Madagascar)

B. Date of an election to fill a vacancy in the International Court of Justice

Decision

At its 4075th meeting, on 30 November 1999, the Security Council proceeded with its consideration of the item entitled "Date of an election to fill a vacancy in the International Court of Justice".[367]

Resolution 1278 (1999) of 30 November 1999

The Security Council,

Noting with regret the resignation of Judge Stephen Schwebel, taking effect on 29 February 2000,

Noting that a vacancy in the International Court of Justice for the remainder of the term of office of Judge Schwebel will thus occur and must be filled in accordance with the terms of the Statute of the Court,

Noting also that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 2 March 2000 at a meeting of the Security Council and at a meeting of the General Assembly at its fifty-fourth session.

Adopted without a vote at the 4075th meeting.

[367] S/1999/1197.

Items included in the agenda of the Security Council in 1999 for the first time

NOTE: The practice of the Security Council is to adopt at each meeting, on the basis of the provisional agenda circulated in advance, the agenda for that particular meeting; the agenda as adopted for each meeting in 1999 will be found in the *Official Records of the Security Council, Fifty-fourth Year*, 3963rd to 4086th meetings.

The following chronological list shows the meeting at which the Council decided, in 1999, to include in its agenda an item that had not been inscribed previously.

Item	*Meeting*	*Date*
Promoting peace and security: Humanitarian activities relevant to the Security Council	3968th	21 January
Protection of civilians in armed conflict	3977th	12 February
Letter dated 24 March 1999 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/1999/320)	3988th	24 March
Letter dated 7 May 1999 from the Permanent Representative of China to the United Nations addressed to the President of the Security Council (S/1999/523)	4000th	8 May
Security Council resolutions 1160 (1998), 1199 (1998) and 1203 (1998)	4003rd	14 May
Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998) and 1239 (1999)	4011th	10 June
Promoting peace and security: humanitarian assistance to refugees in Africa	4025th	26 July
Small arms	4048th	24 September
Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)	4061st	5 November
Role of the Security Council in the prevention of armed conflicts	4072nd	29 November

Checklist of resolutions adopted by the Security Council in 1999

Resolution number	*Date of adoption*	*Subject*	*Page*
1220 (1999)	12 January	The situation in Sierra Leone	2
1221 (1999)	12 January	The situation in Angola	13
1222 (1999)	15 January	The situation in Croatia	24
1223 (1999)	28 January	The situation in the Middle East	47
1224 (1999)	28 January	The question concerning Western Sahara	52
1225 (1999)	28 January	The situation in Georgia	58
1226 (1999)	29 January	The situation between Eritrea and Ethiopia	64
1227 (1999)	10 February	The situation in between Eritrea and Ethiopia	65
1228 (1999)	11 February	The situation concerning Western Sahara	53
1229 (1999)	26 February	The situation in Angola	16
1230 (1999)	26 February	The situation in the Central African Republic	75
1231 (1999)	11 March	The situation in Sierra Leone	3
1232 (1999)	30 March	The situation concerning Western Sahara	53
1233 (1999)	6 April	The situation in Guinea-Bissau	87
1234 (1999)	9 April	The situation concerning the Democratic Republic of the Congo	90
1235 (1999)	30 April	The situation concerning Western Sahara	54
1236 (1999)	7 May	The situation in Timor	117
1237 (1999)	7 May	The situation in Angola	18
1238 (1999)	14 May	The situation concerning Western Sahara	55
1239 (1999)	14 May	Security Council resolutions 1160 (1998), 1199 (1998) and 1203 (1998)	31
1240 (1999)	15 May	The situation in Tajikistan and along the Tajik-Afghan border	81
1241 (1999)	19 May	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States	102
1242 (1999)	21 May	The situation between Iraq and Kuwait	103
1243 (1999)	27 May	The situation in the Middle East	49
1244 (1999)	10 June	Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998) and 1239 (1999)	32
1245 (1999)	11 June	The situation in Sierra Leone	6
1246 (1999)	11 June	The situation in Timor	119
1247 (1999)	18 June	The situation in Bosnia and Herzegovina	41
1248 (1999)	25 June	Admission of new Members to the United Nations (Kiribati)	168
1249 (1999)	25 June	Admission of new Members to the United Nations (Nauru)	168
1250 (1999)	29 June	The situation in Cyprus	137
1251 (1999)	29 June	The situation in Cyprus	138
1252 (1999)	15 July	The situation in Croatia	25
1253 (1999)	28 July	Admission of new Members to the United Nations (Tonga)	169

Resolution number	*Date of adoption*	*Subject*	*Page*
1254 (1999)	30 July	The situation in the Middle East	50
1255 (1999)	30 July	The situation in Georgia	61
1256 (1999)	3 August	The situation in Bosnia and Herzegovina	45
1257 (1999)	3 August	The situation in Timor	123
1258 (1999)	6 August	The situation concerning the Democratic Republic of the Congo	94
1259 (1999)	11 August	International Tribunal for the Prosecution of Persons Responsible for Serious Violation of International Humanitarian Law Committed in the Territory of the Former Yugoslavia International Tribunal for the Prosecution of Persons Responsible for Serious Violation of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States Appointment of the Prosecutor	170
1260 (1999)	20 August	The situation in Sierra Leone	7
1261 (1999)	25 August	Children and armed conflict	145
1262 (1999)	27 August	The situation in Timor	124
1263 (1999)	13 September	The situation concerning Western Sahara	56
1264 (1999)	15 September	The situation in East Timor	128
1265 (1999)	17 September	Protection of civilians in armed conflict	70
1266 (1999)	4 October	The situation between Iraq and Kuwait	105
1267 (1999)	15 October	The situation in Afghanistan	148
1268 (1999)	15 October	The situation in Angola	22
1269 (1999)	19 October	The responsibility of the Security Council in the maintenance of international peace and security	157
1270 (1999)	22 October	The situation in Sierra Leone	9
1271 (1999)	22 October	The situation in the Central African Republic	78
1272 (1999)	25 October	The situation in East Timor	130
1273 (1999)	5 November	The situation concerning the Democratic Republic of the Congo	96
1274 (1999)	12 November	The situation in Tajikistan and along the Tajik-Afghan border	84
1275 (1999)	19 November	The situation between Iraq and Kuwait	106
1276 (1999)	24 November	The situation in the Middle East	51
1277 (1999)	30 November	The situation concerning Haiti	144
1278 (1999)	30 November	Date of election to fill a vacancy in the International Court of Justice	172
1279 (1999)	30 November	The situation concerning the Democratic Republic of the Congo	97
1280 (1999)	3 December	The situation between Iraq and Kuwait	107
1281 (1999)	10 December	The situation between Iraq and Kuwait	107
1282 (1999)	14 December	The situation concerning Western Sahara	57
1283 (1999)	15 December	The situation in Cyprus	140
1284 (1999)	17 December	The situation between Iraq and Kuwait	109

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19 January	Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Island to the United Nations addressed to the President of the Security Council	
	Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/PRST/1999/2)	27
21 January	The situation in Angola (S/PRST/1999/3)	15
28 January	The situation in the Middle East (S/PRST/1999/4)	48
29 January	Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Island to the United Nations addressed to the President of the Security Council	
	Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/PRST/1999/5)	29
12 February	Protection of civilians in armed conflict (S/PRST/1999/6)	67
18 February	The situation in the Central African Republic (S/PRST/1999/7)	74
23 February	The situation in Tajikistan and along the Tajik-Afghan border (S/PRST/1999/8)	80
27 February	The situation between Eritrea and Ethiopia (S/PRST/1999/9)	66
8 April	Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (S/PRST/1999/10)	100
7 May	The situation in Georgia (S/PRST/1999/11)	60
14 May	Letter dated 7 May 1999 from the Permanent Representative of China to the United Nations addressed to the President of the Security Council (S/PRST/1999/12)	30
15 May	The situation in Sierra Leone (S/PRST/1999/13)	4
19 May	The situation in Angola (S/PRST/1999/14)	20
27 May	The situation in the Middle East (S/PRST/1999/15)	49
27 May	The situation in Somalia (S/PRST/1999/16)	133
24 June	The situation concerning the Democratic Republic of the Congo (S/PRST/1999/17)	93
25 June	Admission of new Members to the United Nations (Kiribati) (S/PRST/1999/18)	168
25 June	Admission of new Members to the United Nations (Nauru) (S/PRST/1999/19)	169
29 June	The situation in Timor (S/PRST/1999/20)	121
8 July	Maintenance of peace and security and post-conflict peace-building (S/PRST/1999/21)	70
9 July	Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (S/PRST/1999/22)	101
28 July	Admission of new Members to the United Nations (Tonga) (S/PRST/1999/23)	169
30 July	The situation in the Middle East (S/PRST/1999/24)	50
19 August	The situation in Tajikistan and along the Tajik-Afghan border (S/PRST/1999/25)	83

Checklist of statements made and/or issued by the President of the Security Council in 1999

Date of statement	*Subject*	*Page*
24 August	The situation in Angola (S/PRST/1999/26)	21
3 September	The situation in East Timor (S/PRST/1999/27)	125
24 September	Small arms (S/PRST/1999/28)	154
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